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A HISTORY
OF
TOBAGO.

BY
HENRY ILES WOODCOCK,

CHIEF JUSTICE OF THE ISLAND,

AND AUTHOR OF "THE LAWS AND CONSTITUTION OF THE BRITISH COLONIES IN THE
WEST INDIES."

PRINTED FOR THE AUTHOR
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MDCCLXVII.



TOBAGO, 9th May, 1866.

MY DEAR SIR,

IT is with no common feelings that I avail myself, after some lapse of time, of your kind permission to Dedicate my "HISTORY OF TOBAGO" to you. While writing this I cannot but think of the very happy days spent in your society while you administered the Government here; and I cannot but be grateful for the support I received from you in the discharge of my public duties, and for the assistance kindly afforded me in the preparation of the following sheets.

With continued feelings of respect and esteem, I remain,

MY DEAR SIR,

Yours very faithfully,

H. I. WOODCOCK.

To JAMES V. DRYSDALE, *Esquire*,
Late Lieutenant-Governor of Tobago,
§c., §c., §c.

PREFACE.

ON my arrival at Tobago as Chief Justice, I gathered from all sources within my reach to aid me in acquiring a knowledge of its constitution and laws, information as to the settlement and early history of the Colony. I found in this research so much of interest as to induce me to extend my inquiries to matters of more general history; and I have ventured to embody the result of my labours in the following narrative. We learn, from the early annals of the Island, that its history is intimately connected with the wars of Charles X. of Sweden and the Treaty of Oliva; that under Louis XIV. it became a barony of France; and that its inhabitants had a voice in the election of the First Napoleon as Consul for life. It has been a battlefield where the brave have fought; and we find note-worthy instances of the abnegation of self to the claims of country; while almost all of the more important events that mark its progress of late years belong to the general history of the British Colonies in the West Indies, and have, therefore, with them a common interest. Under these circumstances I venture to hope that my little Book will please those who would

observe the links that unite distant lands in the chain of history, or who are concerned in the polity and condition of the British Colonies in the West. To make the Work more practically useful to those immediately connected with the Island, I have appended Tables of Exports for a number of years—Tables showing the Lots in each Parish, numbered as originally granted—the original Grantee—the name of the Lot, or Lots, if one has been acquired—and the present Possessor, where there is one; and also a List of Estates in cultivation in 1832, and their then Owners, showing also those now in cultivation. The Tables of Lots and Estates may be found useful, among other things, in tracing titles, and ascertaining the boundaries to lands.

To His Excellency the Lieutenant-Governor I am much indebted for the ready access afforded me to the Government Papers necessary to the completion of the present undertaking; to the Public Officers, the Clergy, and Ministers of Religion of all denominations in the Island, I return my thanks for the assistance received from them. And I may not fail to acknowledge the obligations I am under to my friend, Mr. DOUGALD YEATES, for his aid in enabling me to complete the Work I undertook, particularly in what relates to the Natural History of the Island.

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A curious Will, in verse, duly proved and recorded.

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HISTORY OF TOBAGO.

CHAPTER I.

PROBABLE DISCOVERY OF THE ISLAND—ITS ABORIGINES.

HISTORY, if not barren, is uncertain, as to the discovery of Tobago. The solution of the problem may not be useful for any practical purpose, but speculation on it may be permitted as an exercise of disinterested curiosity. Both the neighbouring islands of Trinidad and Grenada were discovered by Columbus in his third voyage, in the year 1498, when he reached the continent, near the mouth of the Oroonoka. As Tobago may be seen at a distance of forty miles at sea, it is not improbable that Columbus came in sight of it in his course from Grenada to Trinidad on this voyage; and if seen, it would have been unlike the great adventurer had it not been visited. However, it is certain that we have no record of any such visit, nor have we any reliable information as to the aboriginal inhabitants of the island.* "If traditions which have been

* Bryan Edwards broadly asserts that Tobago was first discovered by Columbus, from whom it received its name; but he omits to state the time when it was discovered. An author of the name of Fowley, who wrote in 1777 a "Summary Account of Tobago," also states that the island was originally discovered by Columbus; but he is, like Edwards, silent as to date. He says Columbus gave this island the appellation of Tobago or Tabago, from a whimsical notion that its form resembled that of a tubical instrument, so called by the aborigines, and with which they inhaled the fumes of tobacco.

“brought from the contiguous continent may be thought
“deserving of credit, we shall learn from them that the island
“was originally peopled by a warlike race, who were perpetu-
“ally engaged in conflicts with the inhabitants of the
“neighbouring shores; and that after innumerable contests,
“the number of the latter prevailed over the valour of the
“former, and compelled them to abandon a spot which they
“had defended from generation to generation, and to seek in
“the adjacent islands an asylum, which this was destined to
“yield them no more.”* It does not appear that the first
European settlers met with any inhabitants on the island;
although afterwards, when deserted by those who attempted
to colonize it, Charaibs from the neighbouring islands, or
Indians from the continent, may have resorted thither. Dr.
Coke states, as the result of the contest between the Black and
Red Charaibs, in St. Vincent, that several of the latter fled in
their canoes to the continent of America, and others to the
island of Tobago.† And we have the testimony of no less an
eye-witness than Sir William Young, who, in his tour through
the Windward Islands, speaking of Tobago, says, “There are
“three families of Red Charaibs settled in a corner of my
“Louis-d’Or estate, and their history is briefly this: Louis
“was five years old when his father and family fled (about
“fifty years past) from the persecution of the Africans, or
“Black Charaibs of St. Vincent. The family has since divided
“into three distinct ones by increase of numbers. Louis, the
“chief, is a very sensible man, and in his traffic for fish
“and other articles has obtained some knowledge of the

* Coke's West Ind., 165-6.

† Ib., 183.

“French language. . . . I interrogated Louis as to religion. He is now a Catholic, but says that the Charaib belief was always in a future state. Formerly, they used to bury the defunct sitting, with his bow, arrows, &c.; but now, says Louis, we bury *au long et droit*, which is better, for, when sitting, the body got *retreci* (this was his expression), and could not easily start up and fly to heaven; but being long and straight, it can fly up directly when called. This argument was possibly suggested by the Catholic missionaries to make the poor Charaibs leave the old practice.”* We learn that a midshipman, of the name of Thomson—mentioned by Southey as afterwards Captain Thomson—landed from the ship *Stirling Castle*, of the Royal Navy, at Tobago, in 1757, when the Europeans then had no settlement, and having wandered into the woods in search of wild oranges, he was surprised by the discovery of a hut, the inhabitant of which, a venerable-looking man, addressed him in French, and to his astonishment declared he had resided twenty-one years in that solitary situation, having scarcely any communication with a human being. The Indians, he said, would sometimes call at his hermitage when hunting, give him part of their game, and shave his beard off with their knives; but he had never paid attention enough to their language to converse in it. He had been a priest in Martinico, but advancing some tenet which gave offence, he was seized in the night and transported to Tobago. Offers were made to convey him to Europe, which he declined, observing that he was perfectly reconciled to his situation, and happier

* Bry. Ed. West Ind., vol. 2, p. 275, 5 ed.

than he could be in any other.* We are told by the same author that in 1768 a human skeleton was dug up on a plantation called Somerville's, with gold bracelets on the arms, supposed to have been deposited there before the island was known to Europeans.†

* 2 South. West Ind., 322.

† Ib., 395-6.

CHAPTER II.

EARLY SETTLEMENT—CESSION TO THE ENGLISH IN 1763.

TOBAGO early attracted the attention of the English, and was visited by Sir Robert Dudley in the reign of Elizabeth; but it does not appear that any effort was then made to effect a settlement. In 1625 an attempt at a settlement was made by a party of Englishmen from Barbados, who were accompanied by the Rev. Nicholas Leverton, B.A., of Exeter College, Oxford, as chaplain, but this attempt completely failed. The settlers, after having landed, were attacked by the Indians, a number of them killed, and Mr. Leverton was wounded in the head. A few only, and among them the chaplain, saved themselves by swimming to the ship, which was lying at some distance from the shore.* After this, Charles I. claimed a right to the island, and it was granted by him to William, Earl of Pembroke; but that nobleman died before he could carry into execution his design of settling it. It will be seen that Charles II. also exercised a right to dispose of it; so that, indeed, we may say that the English, if not actually the first settlers, were certainly the first to attempt a settlement, and the first claimants to the sovereignty of the island. In 1632 about two hundred persons migrated from Flessingen, and arriving in Tobago, where they found no inhabitant, planted a colony there, and gave it the name of New Walcheren. But this settlement was of short duration. The Spaniards of

* Schom. His. of Barbados, p. 92.

Trinidad, fearing that the new settlers would penetrate their secrets in exploring the banks of the Oroonoka, which was thought at that time to contain beds of gold, determined to extirpate their unwelcome neighbours; and, enlisting in their cause the savages of Trinidad and the cannibals of the continent, who were too happy to be revenged on any Europeans for wrongs done by their present allies, landed in Tobago at a time when the settlers, knowing of no adverse claims, least expected them, and were, therefore, unprepared to resist an attack. No effectual resistance could be made; the unfortunate adventurers fell before the weapons of their assailants, or secreted themselves in the woods until some chance opportunity offered of escape from the island, which was left to its solitude; for after this raid the barbarous invaders, having no farther purpose to answer, returned to their homes.

The next attempt at a settlement was made ten years later. James, Duke of the small but then independent state of Courland, situate on the Baltic, but since merged in the empire of Russia, sent a colony to Tobago in 1642, and a settlement was effected on the northern shores of the island, at a place which was called Great Courland Bay, and still retains that name. This settlement appears to have succeeded; though at first the locality was found unhealthy, but by degrees, as the land was cleared, the noxious vapours fatal to human life were no longer engendered, and great progress was made in the healthful cultivation of the soil.

In 1654, Messieurs Adrian and Cornelius Lampsius, two opulent merchants of Flushing, sent a considerable number of persons to Tobago, who settled on the other side of the island, and lived on terms of amity with the Courlanders, until the

year 1658, when, having learnt that the Duke of Courland was taken prisoner by Charles Gustavus of Sweden in the course of the bloody wars the latter then waged in northern Europe, the Hollanders immediately attacked the settlers at Great Courland, upon which, the garrison there being in a state of mutiny, the Courlanders surrendered, and the settlement became subject to the rule of the Dutch. It was, however, stipulated that when the Duke should recover his liberty the settlement should be restored to him. At this period the French, doubtless induced by the unsettled state of the colony, for the first time put forth a claim to the island by inserting it among the territories granted to their West India Company. Previously to this, in the year 1656, some Frenchmen, driven from the mainland, on the failure of the Company of Terra Firma to make a settlement there, had fled to Tobago; but we do not find that they attempted an independent colonization; nor would it seem that these refugees, flying from their Spanish assailants, were in a position to do so. The Lamproius settlers having, as before stated, reduced the Courlanders to subjection, determined on strengthening their title: for this purpose they obtained, in 1662, a grant of the island from Louis the Fourteenth of France, and a resignation from the French West India Company of their right thereto. Adrian Lamproius procured from Louis letters patent creating him Baron of Tobago, and erecting the island into a barony. Thus, as they imagined, confirmed in their possession, the proprietors sent out M. Hubert de Beveren as governor, who built fortifications for the defence of the island; and under his government the colony flourished. But this state of things was not to be of long continuance. Sweden,

during the regency that ensued on the death of Charles Gustavus, involved in a dangerous war with many enemies, was in 1664 driven to conclude the Treaty of Oliva, under one of the provisions of which the Duke of Courland was restored to his liberty; and he lost no time in demanding the restitution of Tobago, which was refused; and as the Lamptius had endeavoured to strengthen their claims by a grant from Louis of France, so the Duke of Courland resorted to assistance from Charles the Second of England, who granted him the island on condition that none should inhabit it but the subjects of England and the Duke of Courland. Notification of this grant was sent to the States; but it only served to increase their efforts in defending the possession of their fellow-citizens. Their exertions were, however, unavailing. In 1666 an expedition, consisting of four sail of vessels, was fitted out at the expense of some private adventurers from England; the island was taken after a slight resistance; and the commandant and his garrison, consisting of one hundred and fifty men, made prisoners of war. After this we hear nothing more of the Baron of Tobago. Louis appears to have abandoned his protege, and looked alone to his own interest. The English did not long enjoy their conquest; in a few months they were driven out by the French. A garrison of fifty men had been left at Courland, and M. Vincent, the French commandant at Grenada, formed the bold design of attacking the fort in which the garrison lay, and subjugating the island with the small force of five-and-twenty men. This number of volunteers he collected, armed them well, and added to their equipment two drums. His intention was to deceive the British commander, and induce him to capitulate, under the

impression that a large force was opposed to him. This, like many other schemes of an equally audacious character, succeeded from its boldness. The French landed unobserved at Courland Bay, just before dark, and succeeded in killing a sentry and driving in a picquet, which was placed at a sugar store about musket shot from the fort. The next morning, about daybreak, the French made as much noise as they could with their two drums; and sent to summon the commandant of the fort to surrender to the French army, or the fort would be instantly stormed, and no quarter given, because the French army, which was within fifty yards, had other and more important enterprises to achieve, and could not be delayed. They stated that the fleet was on the other side of the island, and only waited their return to make sail. The drummer to whom the summons was intrusted was well fitted to act his part; contrary to all rules of war, he carried his musket with him, which he put down while he beat a parley and delivered his message. The English commander was foolish enough to come himself to receive it, without any other arms than his sword, and after having given a hostage that he might have time to capitulate, he asked the drummer where the French army was, who replied, "Not fifty yards off; from a small eminence just by he could see them." The commander accompanied the drummer to the hill, where he was shown the French officers with fourteen volunteers! Seeing himself duped, he would have returned to the fort, but the drummer, changing his office, took the musket, and putting the muzzle to the commandant's breast, said he was a dead man if he did not surrender his sword. The commandant obeyed, and was made prisoner of war! The rest of the

French came up, and the English commander, who appears to have been more traitor than fool, asked permission to tell the garrison to surrender. They marched towards the fort, the drummer leading the way, and the others guarding the governor. When the drummer approached the sentry, he ordered him to lay down his arms, and the officer and his men entered the fort, where the garrison were under arms ; and, supposing that they were a party sent to take possession of the place, they, at the drummer's directions, lodged all their muskets and arms in a corner, and surrendered themselves prisoners of war. A fort capable of sustaining a siege, well provided with guns and ammunition, and fifty men, were thus taken by twenty-five men without resistance!

M. Vincent kept a garrison in the fort until the month of March in the following year (1667), when he withdrew it, and set fire to everything. Thus again we find the island abandoned, and left without an inhabitant.

I may mention here that in 1666 Tobago was the scene of a victory obtained by Admiral Sir John Harnian over the combined Dutch and French fleets, which had rendezvoused there.

The French having abandoned their conquest, the Dutch renewed their attempts at a settlement, but the island was fated to be the scene of war only for the purposes of desolation. In 1673 the English in their turn, under the command of Sir Tobias Bridges, made an attack on Tobago, took it from the Dutch, and brought away four hundred prisoners and as many negroes. But, with characteristic perseverance, the Dutch once more effected a lodgment in Tobago, only to be again dispossessed by their enemies. The French, in 1677,

being at war with the States, directed the Count d'Estrees, then in command of a large force in the West Indies, which had, in October of the preceding year, reduced the Dutch settlement at Cayenne, to lead his armament against Tobago; but the States had placed the island, then under the command of the Herr Binkes, in an effective state of internal defence, and farther protected it by a naval force sent out for that purpose. In prosecution of his expedition, d'Estrees left Cayenne for Martinico, and proceeded thence for Tobago, where he arrived in February. Upon the approach of the French, Binkes landed some of his sailors, and the soldiers under the command of Captains Van der Graff, Van Dougen, and Ciavone, to man the batteries and fortress of Sterrshans. In two days after their first appearance the enemy's fleet came to anchor in Palmit Bay, and the troops landed. On the 23d February the invaders sent a flag of truce to demand a surrender of the fort, which, as might have been expected, was refused. But the attack was delayed until the 3d of March, when the French fleet quitted its anchorage, and stood in to engage the Dutch ships: at the same time the troops attempted to storm the castle. The attempt was often repeated, and as resolutely and successfully opposed; and the assailants were ultimately repulsed with the loss of one hundred and fifty killed and two hundred wounded, the latter of whom were with difficulty carried off. The battle of the ships lasted from daybreak until evening. D'Estrees' ship, the *Gloriem*, of seventy guns, was blown up, and two others were stranded under sail, leaving the Dutch victorious, though with the loss of several ships, which were burned. After this discomfiture, d'Estrees returned to Brest; but his Sovereign, willing to

afford him an opportunity of wiping off the stain on his own reputation, and on his country's arms, occasioned by his late defeat, placed under his command another expedition, destined for the conquest of Tobago. This armament left Brest on the 7th October, arrived off Barbados on the 1st December, and reached its place of destination on the 7th. It consisted of twenty sail of vessels of war, besides a great number of small craft; on board of which were fifteen hundred land forces, and these were landed under the command of M. de Blinac. On the 9th they had approached within six hundred paces of the post called Le Cort. On the 10th d'Estrees summoned Herr Binkes to surrender; and on the 12th the attack commenced by throwing fire-balls into the castle. In this attack fortune favoured the French arms; the third ball that was projected fell on some loose gunpowder, which, communicating with the magazine, the whole was blown up; and Binkes and all his officers, with the exception of Van Dougen, killed. The works were immediately stormed and taken by the French, and three hundred prisoners captured, who were sent to France. Thus again fell this ill-fated colony, destined to experience all the devastations of war: for although the conquest of the island was deemed of sufficient importance to induce Louis XIV. to cause a medal to be struck in commemoration of it, yet nothing was done to render the acquisition of any value to France. On the contrary, the French, not content with destroying the fortifications and other works of defence, consumed the buildings on the plantations and the dwellings of the inhabitants with fire, and carried the people away. "Finding nothing more which seemed capable of destruction, "the victors abandoned the prize for which they had been

"so eagerly contending, and Tobago was once more consigned to that solitude in which it was first discovered."*

In 1679, two years after the French conquest, by the treaty of Nimeguen Tobago was restored to the Dutch; but we find that in three years after this, *i.e.*, in 1682, the Duke of Courland again put forth his claims to the sovereignty of the island—not by any attempt at an aggressive possession, but by an agreement entered into by him with John Poyntz, an Englishman, by which the latter was at liberty to settle 120,000 acres of land with the subjects of England and Courland; and Southey says that all the Powers of Europe seemed to acquiesce in the right so exercised by the Duke.† It is said that Poyntz visited Tobago in 1682, and in the following year published an account of the island, and invited settlers to it. Southey says he published proposals under authority of the Duke's grant from the Crown of England.‡ It is, however, certain that the compact with Poyntz was unproductive of any result, and the projected settlement was abandoned. This is the last we hear of the claims of the Duke of Courland: his line became extinct on the death of his son, Ferdinand, in 1737; and as the Courland house claimed under a grant from the Crown of England, as it has been well put by Fowler, the author before referred to, the fief, of course, reverted to the donor.

It will be remembered that in 1660 the French and English had assigned to the unfortunate Charaibs who had survived their slaughtered countrymen the islands of Dominica and St. Vincent as places of refuge; and these islands were, as

* 2 Coke's West Ind., 168. † 2 South. West Ind., 123. ‡ Ibid.

between the contracting parties, to be considered as neutral ground. Afterwards St. Lucia was also declared a neutral island. And by the treaty of Aix-la-Chapelle, in 1684, Tobago was added to the list. It might not have been that either Tobago or St. Lucia was intended as a refuge for the Charaib, but it is more probable that, there being much difficulty in settling adverse claims to these islands, particularly in dealing with the many and conflicting claims to the former, the policy of resorting to a declared neutrality was at the time expedient: leaving the settlement of adverse interests to a more convenient season, or perhaps to the mere work of time. All arrangements with regard to the neutral islands would appear to have been made, like the generality of contracts between nations, with the mental reservation which provides that the compact shall be observed so long as it may be expedient so to do, but not farther or otherwise. So, in the true spirit of this *punica fides*, we find the French and English advancing claims to and making settlements on the islands which they had solemnly declared should be neutral, and should be only visited by the subjects of either state for the purpose of obtaining wood and water. In 1748 the French attempted to plant a colony in Tobago: three hundred persons settled there, and they were protected in their enterprise by two batteries and two ships of war. This settlement was induced, or encouraged, by the Marquis de Caylus, Governor of Martinico, who had published an ordinance authorising the subjects of the French King to settle on the island, and promising to defend them. This ordinance was met by a proclamation of Mr. Grenville,* Governor of Barbados, commanding the

* Brother-in-law to Lord Temple.

French settlers to remove, and he despatched Captain Tyrell in a frigate to Tobago to learn the particulars of the settlement. Captain Tyrell gave the French officers to understand that their Sovereign had no right to settle on the island, which had been declared neutral by treaties, and that if they persisted in their attempts at colonization he would employ force to drive them away. But it seems he had no authority to carry this threat into execution, so he fell to leeward in the night, and left for Barbados the next day; but this demonstration proved sufficient to arrest the intended settlement—the ships of war returned to Martinico, and the parent Government disowned the proceedings of the Marquis de Caylus, and sent out orders that the settlement should be discontinued and the island evacuated. The French Government, however, at the same time, insisted on a right which it was alleged the crown of France had acquired by possession towards the middle of the previous century—a right which, if it ever existed, had been, as we have seen, more than once abandoned or transferred to others. However, in the following year an agreement was signed at Martinico by the Marquis de Caylus on the part of his Government, and by Commodore Holborne on the part of his Britannic Majesty, whereby the French obliged themselves to evacuate the debatable ground.

Tobago was not long to continue at peace. The French, in despite of their many treaties and engagements to the contrary, had renewed their settlement on the island; and in the progress of the war between England and France, which was declared in 1756, it once more fell into the hands of the English, by whom it was captured in 1762. Doctor Coke considers that the English took possession of the island, not so much by way

of conquest, as to assert former rights, on which they founded their pretensions of possession.*

By the ninth article of the definitive treaty of peace, signed at Paris on the 10th February, 1763, this much-disputed claim of the Crown of England was fully guaranteed: the English were confirmed in their possession of Tobago, and the foundation was laid "of the first permanent colony that through a "train of disastrous circumstances had ever been permitted "to flourish within its shores."†

On the conclusion of the treaty of 1763, the British Government deemed it expedient to give to the colonies that had been ceded or confirmed to the Crown a legal existence, and to invest them with a constitutional character. His Majesty King George the Third was, by his royal proclamation, dated at the Court of St. James the 7th October in the same year, pleased to declare that he had granted letters patent to erect within the countries and islands ceded and confirmed to the Crown by the said treaty four distinct and separate Governments, called by the names of Quebec, East Florida, West Florida, and Grenada. It is only with the last of these that we have in this place to deal. The Government of Grenada was to comprehend that island, the Grenadines, Dominica, St. Vincent, and Tobago. And the royal proclamation went on to declare that his Majesty had, in the letters patent by which the before-named Governments were constituted, given express powers and directions to the Governors of them, that as soon as the state and circumstances of the several colonies would admit, they should, with the advice and consent of the members of the respective councils therein, summon and call general assem-

* 2 Coke's West Ind., 169.

† Ibid.

blies within the several Governments, in such manner and form as was used and directed in those colonies and provinces in America which were under the immediate Government of the Crown. And it was also declared that his Majesty had given power to the Governors, with the consent of the councils and the representatives of the people, to make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good government of the said colonies, and of the people and inhabitants thereof, as near as might be agreeable to the laws of England, and under such regulations and restrictions as were used in other colonies; and his Majesty graciously declared that in the meantime, and until such assemblies could be called, all persons residing in or resorting to such colonies, might confide in the royal protection for the enjoyment of the benefit of the laws of the realm of England; for which purpose his Majesty had given powers under his great seal to the Governors of the colonies to erect and constitute, with the advice of his councils, courts of judicature and public justice therein, for the hearing and determining all causes, criminal as well as civil, according to law and equity, and, as near as might be, agreeable to the laws of England, with liberty to all persons who might think themselves aggrieved by any sentence of such courts in all civil cases to appeal to his Majesty in his privy council. By this outline of the constitution of the ceded islands forming the Grenada Government, we perceive that the King originally appointed a Governor over all these islands, with a council in each, and that he granted a commission to the Governor to call an assembly in each island, which, with the Governor and council, was authorised to make laws for the

good government of the people. To this may be added that such laws were not to be repugnant to the laws of England, and that the Crown reserved to itself the right to disallow such laws, if considered objectionable. In the absence of the Governor from any of the islands under his command, the government devolved on the Lieutenant-Governor; and failing such officer, and in the absence of any one especially appointed by the Crown to administer the Government, it passed to the senior member of council. The officer at the head of the general Government was also the Chancellor, and held a commission as Vice-Admiral over all the islands in the seigniorage. He deputed the officers administering the Government in the islands from which he was absent to act in the office of ordinary in each island. To this sketch of the constitution, as originally granted to the colonies forming the Grenada Government, I may add that the colonists took with them, for the protection of their persons and property, the common law, and all statutes in affirmance of the common law, as their birthright. In this code was included the law regulating the descent of real property; the statutes of distribution, frauds, and limitations. But statutes creating new offences unknown to the common law did not apply to the colonists; and they took with them, indeed, only so much of the English law as was applicable to their own situation, and the condition of an infant colony. The artificial refinements and distinctions incident to the property of a great and commercial people, the laws of police and revenue (such especially as were enforced by penalties), the mode of maintenance for the established clergy, the jurisdiction of spiritual courts, and a multitude of other provisions, were neither necessary nor convenient

for them, and were therefore not in force in the new settlements. After the colonists had received a constitution, with the power of enacting laws for themselves, no statute of the parent state was binding on them, unless made applicable to the colony by express terms, or to the plantations in general, or applying to all the dominions of the Crown. It may be stated as a general rule, that the adoption in a colony of any of the imperial statutes passed after its settlement, where the terms of the statute do not extend to such colony, must be the work of colonial legislation, or the result of uninterrupted usage.

Some time elapsed, after the issuing of the proclamation I have referred to, before assemblies were called in the islands of the Grenada Government. I do not find any legislative enactment previously to 1768. In the meantime these islands were legislated for by ordinances passed by the Governor and a general council selected from all the islands.

CHAPTER III.

FROM THE CESSION OF THE ISLAND, IN 1763, TO ITS RECAPTURE BY THE
ENGLISH IN 1793.

THE first person intrusted by the Crown with the command over the Grenada Government was General Robert Melville, whose commission as Governor bore date the 8th October, 1763, the day after the date of the proclamation, a sketch of which has been given; and the first Lieutenant-Governor of Tobago was Alexander Brown, Esq. I find the landing of himself and his secretary, Mr. Gibbs, at King's Bay, in this island, on the 12th November, 1764, recorded in a chronological table contained in a Tobago almanac for 1849, and his commission is on the island records, and bears date the 11th August, 1763. It is stated in the same chronological table that at the time of the arrival of the Lieutenant-Governor there were no other inhabitants on the island than Charaibs. In support of this statement, it is to be remembered that only seven years before this, that is, in 1757, a solitary exile was found in Tobago—where Europeans had no settlement—and whose hermitage was sometimes visited by Indians. Doctor Coke gives a very different account of the settlement. He says we must not imagine that the island was “destitute of inhabitants” when our government asserted its almost forgotten claims. “Through the long period of fifty years a great number of” solitary individuals had removed thither from different places, “through a variety of causes. These had begun plantations in” many parts, but none pretended to have any other claim upon

“the lands which they held than that which arose from undisputed possession. On the arrival of our countrymen the face of things began to assume another aspect. They did not attempt to drive the former settlers from their plantations; but, by incorporating them among themselves, placed them on a more permanent footing, and broke off their dependence upon France.”*

I find no evidence in support of the pleasing picture which the reverend author has pencilled. Independently of the adventure of Captain Thomson, and the statement in the chronological table before referred to, the conclusion to be drawn from an important public document seems opposed to the supposition that the English found settlers on the island, whom they confirmed in the possession of their plantations. I allude to the proclamation issued on the 5th March, 1764, for the sale of lands within the Grenada Government, as regarded Tobago, without any exception in favour of settlers found in the island, whereas express exception was made of the lands belonging to French proprietors in Grenada, St. Vincent, and Dominica, at the time of the capitulation and surrender of those islands. If there had been settlers in Tobago whom the English were desirous of incorporating among themselves, it is more than probable that the same exception would have been found in their favour as has been noticed in favour of the settlers in Grenada, St. Vincent, and Dominica.

For the general purposes of this history, the proclamation of the 15th March, 1764, must be considered more at large. The commissioners for the sale of lands named in this procla-

* 2 Coke's West Ind., 169.

mation were instructed to divide the island of Tobago* into parishes, and to set apart lands in convenient situations for fortifications, yards for the use of the navy, and other military purposes; they were to determine on a proper situation in each parish for a town, and to reserve a certain number of acres of woodland in the most mountainous parts for "the preservation of the seasons, and other public and private purposes," and they were to trace one great road of communication between town and town. As to the remainder of the lands, they were to be laid out in lots for sale—in general not less than one hundred, or more than three hundred acres, for plantations; but in proper and convenient situations, commodious for sugar plantations, the lots might be increased to four or five hundred acres: these allotments were to be made exclusive of lands to be reserved for poor settlers. The lots were to be put up at public sale at a price not less than five pounds an acre for cleared, and twenty shillings an acre for uncleared land. The purchasers were to pay a deposit of twenty per cent. on the purchase money at the time of purchase; ten per cent. in one year after the execution of the grant; a further instalment of ten per cent. within the second year; and the residue of the purchase money was to be discharged by annual payments of twenty per cent. On failure in any of these payments within three months after they should fall due the land was to be resold. In addition to the sum bid for the land, the purchaser was to pay at the time of purchase sixpence per acre to cover the expense of

* I have confined my statement of the proclamation of 1764 to the island of Tobago, although in its general effect it extended to all the islands comprised within the Grenada Government.

surveying, and was also to pay thereafter a like sum per acre as a quit rent. It was stipulated that for every one hundred acres of land cleared the purchaser should keep one white man, or two white women; and that at the expiration of six months from the date of the grant, one acre in every twenty should be cleared, and the same quantity in every succeeding twelve months, until one-half of the arable land should be fit for tillage. These latter stipulations were enforced by penalties, but a breach of them did not work a forfeiture of the grant. To prevent monopoly no purchaser was permitted to engross more than a single lot. The lands sold by the commissioners in Tobago, exclusive of the poor settlers' lots, the reserved lands, and a belt of land round the island of three chains in width, reserved by Government for the building of forts and other purposes, amounted to 57,408 acres, and produced a sum of £154,058 19s., giving an average of £2 13s. 8d. per acre. The first grant of land recorded in this island, sold under the foregoing proclamation, is made by Governor Melville to James Simpson of lot No. 1 at Courland Bay, containing 500 acres of land, and bearing date the 20th March, 1766.

The purpose of founding a town in every parish must have been soon discovered to have been ill suited to the condition of the colony, and was early abandoned. That of Georgetown in Barbados Bay appears to have been the one first established, and the Legislative Council and Assembly summoned by General Melville held their first Session there, which was opened on the 16th April, 1768. On this occasion five laws were enacted, which were all disallowed by the Crown, being considered objectionable on constitutional grounds, and the

matters with which they dealt were disposed of by a royal proclamation, issued in February, 1769. This could only have been on some matter of detail with reference to the constitution previously granted by the Crown in 1763, as that constitution has in principle existed while the colony belonged to England, and in theory even while under French dominion. Of Georgetown, the only remains are some old foundations of houses; and I saw one gravestone there, but without any inscription. The site of the town, indeed, now forms the better part of a sugar estate called Studley Park, and is covered over with cane cultivation. On a projecting point of land, running out to sea in a southern and western direction, the town was defended by a fortification called Granby Fort, now in ruins, and overgrown with trees and brushwood; there is, however, still to be seen there a black marble tombstone, with the following inscription:—

“BENEATH THIS STONE LIES INTERR’D THE BODY
OF MR. JAMES CLARK, WHO DEPARTED THIS
LIFE THE 6TH JULY, 1772, AGED 30 YEARS.”

- Georgetown retained its rank as capital of the colony for a very short time, as it appears that in the year 1769 the legislative sittings were transferred to Scarborough, where they have ever since been held.

Lieutenant-Governor Brown was succeeded by Roderick Gwyne, Esquire, whose commission as Lieutenant-Governor bears date the 23d September, 1767; he retained his command until 1768, when he was relieved by the appointment of Lieutenant-Governor Stewart. On the 18th October, 1770,

William Young, Esq., was appointed to Tobago as Lieutenant-Governor. Shortly after this a partial dismemberment of the Grenada Government took place. Dominica was separated from it and erected into a district seignory, under the command of Sir William Young as Captain-General and Governor-in-Chief, who arrived there and entered on his office on the 22d April, 1771.

The superintending influence of General Melville appears to have been productive of good, and the officers under his command, in the subordinate Government of Tobago, must have been successful ministers to his purpose. In the space of six years from the landing of Lieutenant-Governor Brown, in 1764, when no European settlers were to be found in the island, to 1770 (during four years of which period the Grenada Government was held by General Melville), much progress was made in the cultivation of the soil. In the last-mentioned year a ship called the *Dolly* was loaded with sugar, the produce of Tobago. Such advancement speaks of a state of security, the result of a stable and efficient Government. But in 1768 General Melville was removed. No man is wise at all times, and if there be any subject which clouds the judgment and gives dominion to evil, it is the conflict of opinion on the attributes of, and manner of worshipping the great and merciful God who made us. In this controversy man has sacrificed his fellow-man, and even Christians have sacrificed Christians. The pious Calvin burnt his friend Servetus, because they differed on the mystery of the Trinity; and these burnings were so frequent in England during the Tudor dynasty as to have raised, it is said, the price of wood. Our Saviour himself says, "Suppose ye that I am come to

"give peace on earth? I tell you nay, but rather division."* Ours are not the days for such murders as those I have alluded to, whether committed by a Calvin or a Henry VIII.; but men are still ready to indulge, as far as they dare, all the evil passions of their nature, should any diversity of opinion arise on the simple questions whether a reverend gentleman should wear a white or a black gown; whether the table at the head of the church should be of stone or wood, or be called "an altar" or "the Lord's table;" and whether candlesticks should be placed on it or not. It is not therefore to be wondered at that even a sage and good man should have been misled a hundred years ago in a religious controversy. It appears that the Roman Catholic inhabitants of Grenada applied to the Secretary of State for the Colonies to be permitted to exercise the elective franchise in common with the other colonists in the choice of representatives to sit in the House of Assembly, and also to be declared eligible to be elected as representatives of the people in that House, and to be appointed as Members of the Board of Council. These reasonable demands, which, thank Heaven, none at the present day would be so ridiculous as to oppose on any fancied incompetency growing out of religious opinions, met with the most strenuous opposition from General Melville, the Members of Council, the Speaker, and a majority of the Assembly, who contended that it was incompatible with the British constitution to grant such privileges to Roman Catholics, and therefore to make these concessions to them was hard and unjust to members of the English Church, who had purchased lands and settled with their families on the island on the faith of that constitution

* St. Luke xiii., 51.

being guaranteed to them. As may be supposed, this reasoning did not prevail with the Home Government, and the just claims of the Romanists were allowed. This, however, produced much heart-burning in Grenada; and General Melville, yielding to the influence of party instead of controlling it, was relieved of the government of the southern islands, and was succeeded by William L. Leyborne, Esq., who was, on the 2d March, 1771, appointed to the command of Grenada, the Grenadines, St. Vincent, and Tobago, with the title of Captain-General and Governor-in-Chief. Nothing worth recording took place in the history of Tobago during the government of Mr. Leyborne. He died in St. Vincent on the 16th April, 1775, and was buried in Kingstown churchyard, where his tombstone still exists, with the inscription scarcely legible. On the death of Mr. Leyborne, Sir George, afterwards Lord Macartney, received a commission, dated the 7th February, 1776, appointing him Captain-General and Governor-in-Chief of Grenada, the Grenadines, and Tobago; St. Vincent, as in the case of Dominica in 1771, having been formed into a separate government under the command of His Excellency Valentine Morris. In 1777 we find Peter Campbell Lieutenant-Governor of Tobago; he was appointed to the command on the death of Lieutenant-Governor William Young. John Graham succeeded him, and held office until his death in the early part of the year 1779, when George Ferguson, of whom I shall have occasion to make honourable mention, was appointed Lieutenant-Governor.

Tobago had been for nearly twenty years under British rule when it was again to change masters. In the year 1781, during the war with France which grew out of the struggle

of America for independence, it was subdued by the arms of the former, after a most valiant defence by Lieutenant-Governor Ferguson. The damage done to the British fleet, under the command of Admiral Hood, in the indecisive engagement between him and the French fleet, under Count de Grasse, near Martinico, on the 28th April, 1781, obliged Admiral Hood to take his ships to Antigua to refit; and the French took advantage of that circumstance, which for a time left our southern islands unprotected, to make a descent on Tobago. But had Admiral Rodney, with the large fleet he then commanded in the Charaibbean Sea, shown his usual activity and zeal, Tobago might have been preserved to the British; for the defence was so long protracted, and the Admiral had so early an intimation of the state of things, that he might well have relieved the place. In a letter published in the *London Gazette* he expressed surprise at the island having surrendered as soon as it did; upon which Governor Ferguson published a letter in the London papers, giving an account of the siege, and dealing not over tenderly with Admiral Rodney. As no refutation of the charges or denial of the statements contained in that letter have ever appeared, it has acquired a claim to veracity which its clear and perspicuous narrative well maintains. The details it gives of the siege are so interesting that I cannot deny, to those who may feel an interest in the subject, a perusal of it in these pages:—

“The capitulation of Tobago having been published in the “last *Gazette*, without any part of my dispatch to the Secretary “of State which accompanied it, it may be expected that I

“should give the public some account of the siege and capture of the island; and it may perhaps be thought more incumbent on me, to do so, as Sir George Rodney, in his letter of the 29th June to the Admiralty, has misstated several facts respecting that event, and insinuated that it had surrendered without making any defence.

“Early in the morning of the 23d of May I received information that the enemy's squadron had been seen to windward the evening before, and that it was then approaching the island. I instantly dispatched Captain Barnes, of the *Rattlesnake*, with the intelligence to Sir George Rodney. Captain Barnes was fortunate enough to find the fleet at Barbados, and he delivered my dispatch on board the *Sandwich* at twelve o'clock on the night of the 26th May.

“About ten o'clock on the morning of the 23d the squadron brought-to off Minister Point, hoisted French colours, and immediately got their troops into boats with an intention to land at Minister Bay; but finding the sea very high, and receiving some shot from a gun at Minister Point which would have annoyed them in landing, they returned on board. They then endeavoured to get into Rockley Bay, but the current carrying them to leeward, they went round the west-end of the island. This squadron consisted of the *Pluton*, of seventy-four guns; the *Experiment*, of fifty; the *Railieuse*, of thirty-two; the *Sensible*, a flute, of thirty-two; the *Eagle*, of fourteen; and four sloops, under the command of the Chevalier d'Albert de Rious.

“Next morning (the 24th) the enemy effected a landing at Great Courland Bay with very little loss. The temporary battery there, of three eighteen-pounders, was almost entirely

“without cover, and so injudiciously situated that ships could
“fire upon the back part of it before a gun from it could bear
“upon them. The *Pluton* brought-to within 400 yards of this
“battery, and kept up so constant a fire that in a very short
“time the party was driven from it, having been scarcely able
“to bring a gun to bear upon her. But a gun at Black Rock,
“under the direction of Major Hamilton of the Militia, being
“at a greater distance, continued to fire upon the *Pluton* for
“a considerable time, and killed many of her men.

“Upon quitting the battery our troops were posted on the
“heights, upon each side of the road leading from Courland to
“Scarborough, to harass the enemy on their march; but the
“French General, with great judgment, avoided the defile, and
“leaving the road, ascended the heights upon his right. He
“there kept his men partly concealed behind a wood, and sent
“a party to gain some heights which were still above him.
“This advanced party exchanged a few shots with some of
“our regulars; but as they were at a considerable distance
“from each other, there were only two of our people killed.

“Upon this occasion Mr. Collow offered to set fire to his
“canes to distress the enemy; but some rain which had fallen
“in the night unfortunately prevented their burning so
“rapidly as to have that effect. Mr. Collow’s magnanimity,
“however, is not the less deserving of praise.

“As the troops were much fatigued with the hard duty
“they had undergone that and the preceding day, and as there
“was likewise reason to believe that the enemy would attempt
“to cut off our retreat to Concordia, the place of our rendezvous,
“by detaching part of their army round by Mother Road, it was
“judged proper to carry the troops thither in the evening.

“General Blancheland, Governor of St. Vincent’s, who commanded the French troops, in the meantime dispersed papers among the planters, expressing surprise at their deserting their houses, and informed them that their plantations would be plundered and confiscated if they did not return to them in twenty-four hours. These, however, had no effect upon the inhabitants, who were determined to retire with me to Concordia. The General at the same time sent a flag of truce to inform me that he had landed with 3000 men to conquer the island, and he offered to give any terms if I would capitulate; but his offer was rejected, and his Excellency was requested not to trouble me again upon that subject. In consequence of which he despatched a cutter that night (the 24th) to Martinico for a reinforcement.

“Upon the 25th the enemy took post upon the different heights in the neighbourhood of Concordia, and on the 26th they took possession of the town of Scarborough, up the hill.

“On the 27th the enemy seemed inclined to attack us. Mr. Charles Low, understanding that I was unwilling to destroy his dwelling-house and other buildings, although they afforded some shelter to the enemy, came himself and proposed to burn them, which he instantly put in execution.

“On the 28th the French squadron came into Rockly Bay, having left Courland the day before. A party of twenty negroes, who were sent this day, under the command of Messrs. Hamilton, M’Eller, and Irvine, to burn the remainder of Mr. Low’s houses, very bravely effected that business, notwithstanding the opposition made by a large body of the enemy. Messrs. M’Eller and Irvine, and nine of the negroes, were unfortunately wounded.

"The 29th, as well as the two preceding days, the enemy endeavoured, without effect, to draw us from our post by exposing small parties, in marching from one place to another.

"Early in the morning of the 30th I received a letter from Rear-Admiral Drake, acquainting me that he was coming with six sail of the line and three frigates, to relieve the island; and that General Skene was on board with 528 men. The joy occasioned by the expected arrival of this long-looked-for succour did not last, as we were soon afterwards informed that the whole French fleet had arrived from Martinico in consequence of General Blanchelande's letter, dispatched on the 24th at night, and had fallen in with Mr. Drake, who was thereby prevented from landing the troops, and it was supposed his squadron was taken.

"This day the enemy took possession of Mr. Cotton's house,* from whence they could see everything that passed at Concordia. They proposed that night to make a vigorous attack, and the garrison as usual was ready to receive them; but their guides losing the path in the dark, they returned next morning to their quarters much fatigued, and resolved not to make another attempt until their reinforcements from Martinico should arrive.

"On the morning of the 31st we received intelligence that the enemy's fleet was again seen to windward, having returned from chasing Admiral Drake; and at sunset that evening we saw two French frigates, and three cutters full of troops, go into Courland Bay.

"The ground at Concordia is strong, and there is a view

* This house stood on the height now known as the "Old Fort."

“from it of both sides of the island, which made it a desirable
“post for us to possess; but the trench that had been dug
“there some years ago was almost entirely filled up, and if it
“had been cleared out would have required above 2000 men to
“defend it. The engineers being, for these and other reasons,
“of opinion that it was no longer tenable against so superior
“a force, it was unanimously resolved, in a council of war, to
“retreat directly to the main ridge, where a few huts had
“been built, and some provisions and ammunition previously
“lodged. In consequence of this resolution the garrison began
“to march at one in the morning of the 1st of June, and
“before eight they effected their retreat to Caledonia, without
“the loss of a man.

“Caledonia is near the centre of the island, and from thence
“to the north side, across the main ridge, there is a road six
“miles in length, and so narrow that two men cannot walk
“abreast. Upon each side there is an impenetrable forest,
“which extends some miles. A handful of men could
“undoubtedly defend this road against a powerful army.
“Rejoiced that the troops had got to this place, and believing
“that they could hold out while the provisions lasted (of
“which there were a few days’), I went on with the engineers
“to get everything ready for their reception at the huts.

“The Marquis de Buille, who had arrived at Courland the
“evening before with the reinforcement, having been deceived
“by the silence of our march, and by sentries being left after
“the garrison went away, sent a flag at daybreak to Concordia,
“believing the troops were still there. Being disappointed,
“he immediately sent orders to the Marquis du Chillieu,
“Governor of Dominica, to land at Man-of-War Bay with

"300 or 400 men; and he followed us directly himself as far as Brotherfield. Being still more disappointed when he got there to learn that we were four miles before him in a strong country, he instantly ordered the adjoining plantations of Nutmeg Grove and Belmont to be reduced to ashes, which was done accordingly, in hopes of making the inhabitants surrender. An order was then issued to burn four plantations more in four hours, which was to be repeated at the like interval till the island should be either surrendered or laid waste.

"At this time the enemy required Mr. Orr to show them the road to our camp, which he positively refused. He offered to go with an officer and a flag, but he would not conduct their army. Threats of burning his house and putting him to death had no effect upon Mr. Orr, although at that instant the plantations of his neighbour were in flames. Mr. Turner, a capitulant of St. Vincent's, was then applied to, but although that gentleman's whole property was under the French Government, he peremptorily refused to show them the road upon their attempting to push on a body of men under protection of a flag of truce. The Marquis de Bouille was, therefore, obliged to send the flag without the troops.

"Upon being informed of some of these circumstances I hastened back to Caledonia, when, to my very, very great mortification, the militia refused to hold out any longer. My duty to his Majesty, and my regard for the inhabitants, concurred in making me urge them earnestly to defend the island to the last extremity; but in vain: for, exhausted with fatigue - in despair at not having been relieved in ten days—

“and seeing, at the same instant, their estates in flames, they no longer paid attention to my remonstrances. Thus circumstanced, I desired the commanding officer of the regulars to take possession of the road before mentioned with his troops, while I should renew my endeavours to prevail upon the militia to alter their sentiments; but that gentleman refused to obey my orders, and, consulting his officers, he determined to capitulate.

“Being unable to prevent it, I left the regulars and militia to make terms for themselves, as capitulating at that time was perfectly against my opinion; but afterwards, seeing it was impossible to get them to hold out any longer, and the inhabitants having already agreed to some articles which I disapproved of, I interposed and protested against any capitulation but upon the terms of Dominica.

“Count Dillon, who was empowered by the Marquis de Bouille to treat, for some time insisted that their deserters and the negroes we had armed should be delivered up to be punished; but finding these articles would never be complied with, he gave them up, and on the evening of the 1st of June I consented to surrender the island upon the terms given to Dominica. The officer commanding the troops made terms for the regulars without consulting me, and he sent the officer next in command that evening as a hostage for the performance of them.

“The Marquis de Bouille afterwards drew out articles very different from those at Dominica, which I refused to sign; but upon some of them being altered, and the inhabitants representing to me that they were, upon the whole, better than those of Dominica, I appointed three gentlemen to

"examine and compare them; and as they unanimously recommended me to sign them, as being more favourable than those alluded to, I complied with their request. The 1200 half johannes, and the furnishing 400 negroes to the French King's works (which are not in the Dominica capitulation), were agreed to by some of the inhabitants before I had consented to capitulate; but as the planters at large were resolved to pay their quota of those articles, and not to allow the few individuals who had subscribed to them to bear the whole loss, and as the Marquis de Bouille had agreed to allow the 1200 half johannes to be expended in reconstructing the houses which had been burnt, I admitted them into the capitulation.

"It is perhaps impossible to ascertain the number of an enemy's army, as they generally exaggerate their force before a siege and diminish it after. The French, however, upon this occasion advanced less than usual, for General Blanchelande upon his landing said he had 3000 men; and I have been informed since the capitulation, by Mr. Fitzmaurice, the second in command, and Mr. Walsh, the Major-General (Adjutant-General) of his army, that General Blanchelande brought with him between two and three thousand men. The reinforcement landed by M. de Bouille was supposed to be about half that number.

"Our number under arms never exceeded 427 men, exclusive of forty armed negroes, viz.:—four gunners of the royal artillery, 207 rank and file of the 86th Regiment, fifteen matrosses of the island artillery, 181 rank and file of the militia, and twenty seamen.

"Sir George Rodney in his account generously gave us

"forty of the train, 300 regulars capable of doing duty, and 500 militia; and to make the contest nearly equal, he sunk in the same account all our enemies except 900.

"Sir George observes, 'That something extraordinary must have happened to induce Governor Ferguson to capitulate;' but I apprehend the world will think it more extraordinary that a British Admiral, with twenty-one ships of the line under his command, should allow an enemy's squadron of four ships and frigates, and a few sloops, to besiege for ten days together a British colony within twenty-four hours' sail of him, without either relieving or endeavouring to destroy the squadron, than that an island defended by only 427 men, without even covering sufficient to shelter them from the inclemency of the weather, should be unable to hold out longer than ten days against an army of veteran troops above five times their number.

"And it will appear perhaps equally extraordinary that the whole French fleet and army should arrive at Tobago from Martinico before the squadron from Barbadoes, although my express to Sir George Rodney sailed twenty-six hours before General Blancheland despatched the cutter for his reinforcements, when it is well known that the voyage from Tobago to Martinico, going and returning, is more than double the voyage from Tobago to Barbados and back.

"GEORGE FERGUSON." *

"Germyn Street, No. 33, Sept. 24th, 1781."

There was much in the terms of the capitulation under which the island surrendered to the French that retained for Tobago an English character. It was among other things

* 2 South. West Ind., 505 et seq.

provided that the inhabitants should preserve their civil government, laws, customs, and ordinances; and the persons who then administered justice were continued in their functions until the peace, so long as they should conduct themselves properly. It was farther provided that the Court of Chancery should be held by the members of the Council in the form established until the peace; but appeals from that Court were to be made to the Councils of His Most Christian Majesty. The inhabitants in general and clergy were protected in the enjoyment of their estates, and of every thing in their possession, as well as of all privileges, rights, honours, and exemptions, and in the free exercise of their religion; and to the clergy was insured the enjoyment of their benefices. It was declared that the free negroes and mulattoes should be maintained in their liberty, but that thereafter no slave should be franchised without permission of the Governor-General. The inhabitants who were absent, even those in the service of His Britannic Majesty, were maintained in the possession of their property, which they were allowed to manage by their attorneys. And all were allowed to dispose of their estates, real and personal, as they should think fit; and they were to be at liberty to send their children to England, or elsewhere, to be educated, and to receive them back again. This capitulation bears date at Tobago the 2d June, 1781, and is signed by the Marquis de Bouille, Comte de Grasse, George Ferguson, and H. F. R. Stanhope.

The day after this the long-delayed movement of Admiral Rodney took place. He put to sea with twenty-one or twenty-two sail of the line, and a military force under the

command of General Vaughan; but on reaching Tobago he found the French in possession of the island, and the enemy's fleet in sight, consisting of twenty-four sail of the line, whereupon he abandoned all idea of fighting and returned to Barbados. Captain Southey says that "Sir George Rodney suspected that the enemy wished to decoy him among the "Granadillas, and then proceed to attack Barbados: he, therefore, did not attempt to bring him to action."* I am not capable of estimating the value of this excuse, not having any knowledge of naval tactics; but if I were to decide on what may be considered a mere common-sense view of the case, I should say it would have been as easy for the English fleet to get to Barbados to defend it, as for the French fleet to get there to attack it. And if the fleet under Rodney and the troops under Vaughan were engaged in the recapture of Tobago, and the French fleet in its defence, I must own I cannot understand what either the French or English fleets could have been doing among the Grenadines. Be this as it may, the French retained their conquest; and, by the seventh article of the definitive treaty of peace between Great Britain and France, signed at Paris on the 3d of September, 1783, the island was ceded and guaranteed by the former to the latter. In this transfer it was stipulated that the Protestant inhabitants of the island should not be molested in the exercise of their worship; that the inhabitants should retain their possessions upon the same titles and conditions by which they had acquired them; or else they might retire in full security and liberty where they should think fit, and should have the power of selling their estates, provided the sale were made to

* 2 South. West Ind., 513.

subjects of His Most Christian Majesty, and of removing their effects as well as their persons without being restrained in their emigration under any pretence whatsoever, except on account of debts or of criminal prosecutions. The term limited for this emigration was fixed at eighteen months. And it was farther stipulated, that for better securing the possessions of the inhabitants, His Most Christian Majesty should issue letters patent abolishing the *droit d'aubaine** in the island.

The first Governor appointed to the island after its cession was the celebrated Arthur Count Dillon, himself an Irishman, and commanding the Irish Brigade in the service of the King of France, who, in contrast with the miscreant Victor Hugues, was well known throughout the West Indies for his kindness and urbanity to the inhabitants of the British colonies there, who, in the chances of war, fell under his rule as a French commander.

Notwithstanding the change in its sovereignty, the constitution and laws of the colony professedly remained the same as when it was under the dominion of the British Crown. The proceedings in the Courts of Justice continued as before; and in 1784 Scarborough was first represented in the House of Assembly; but the French authorities did not at all times observe the principles of the constitution guaranteed to the inhabitants of Tobago on its cession. We have the record of an Act passed on the 20th April, 1785, while Viscomte d'Arnon was Governor, by which it appears that the King of France having *demanded* an annual *free gift* from the island of

* The right which the Crown of France then possessed of inheriting the property of all foreigners who died within the French dominions.

200,000 livres, a poll tax of 22s. 6d. on slaves, and a tax of 8 per cent. on rents, were immediately imposed. There is on the Chancery minutes of the island a record of the names of 336 persons who renounced all allegiance to the Crown of England, and swore fealty to that of France. I take it that this was the condition on which the English inhabitants were permitted to retain their lands. This record bears date the 25th of September, 1788, and is signed by Count Dillon, and ten deputies on the part of the inhabitants. At this time the free population amounted to about 2400 persons; to which the number of 336 who gave in their adhesion to the French Government bears but a small proportion; but it must be supposed that these were confined to male adults who had property or position giving them some standing. In 1790, while the island was in the possession of the French, a mutiny broke out among the soldiers:—"In the first place they proceeded to attack their officers, and so far succeeded that they beat them most unmercifully; then forming themselves into separate parties, some formed garrisons without any officers, and others, from perhaps an apprehension of an impending storm, departed to the neighbouring islands. About two days afterwards the town was set on fire, about two o'clock in the morning, while the peaceable inhabitants were fast asleep. The houses being built chiefly of wood, the dryness of the season and a high wind favoured the abominable design. The conflagration spread in every direction, and did not stop until it reached the sea. Some few magazines, which stood to windward of the fire, were happily preserved; but exclusive of these, the whole town was reduced to a heap of ruins. The inhabitants of the country,

“indeed, upon hearing the alarm, proceeded with their negroes towards the fire, in the hopes of being able to stop the progress of the flames ; but on their arrival they were forbidden entrance by the soldiers, who had shut up every avenue, and would not suffer one negro to enter until all should be over, or until their assistance could be of no service.* These evils were succeeded in August, 1790, by a most tremendous hurricane. About 20 vessels were driven on shore and completely lost in different parts of the island. In the country the devastation was no less sudden and terrible. Mr. Hamilton’s† sugar works, being about 70 feet long, were totally destroyed, together with all the stores they contained. His elegant new mansion, which had been built upon pillars, was lifted up by the tempest and removed to some distance; but, being well made, it did not go to pieces. . . . Mr. Hamilton being absent from home knew nothing of what had happened to his habitation; but returning in the night, which was excessively dark, and groping for his door, he fell over some rubbish which was left on the spot, and so far hurt himself that he was confined for a week.”‡ I had an account of this hurricane from an old person, who was a girl and residing on Mr. Cotton’s estate when it happened. She described it as equal in violence to the storm of 1847. There is also the following minute in a record kept in this island by the Moravian Missionaries :—“1790—John Montgomery was appointed to begin a mission. He settled first on Signal

* 2 Coke’s West Ind., 174-5.

† The then owner of Riseland, a gentleman highly respected, and of considerable property and influence.

‡ 2 Coke’s West Ind., 176.

"Hill. Great confusion in the island, on account of the "French revolution. A great hurricane swept over the island, "which did great damage. John Montgomery's dwelling on "Signal Hill was destroyed."

Engagements, however solemnly entered into, are seldom found to bind the many where it is their interest to escape from the obligation: the individual may fear the reproach of others, and that fear may, in the absence of a better principle, prevent his breach of promise; but where there are several to countenance each other in the disregard of an engagement which becomes burthensome, it will not long be of any force. Thus it may have been that on the breaking out of hostilities between England and revolutionary France, in 1793, the English inhabitants of Tobago were not disinclined to abandon all engagements to the Government of France, and to receive with welcome the British land and sea forces, under the command of Major-General Cuyler and Admiral Sir John Lefroy, who, on the 15th April, 1793, once more reduced the island to an English dependency. The colonists of Tobago, however, may be well excused for having withdrawn their allegiance from a State wherein, during a fearful convulsion, the political head to which they had pledged themselves had been severed from the body; and it may be conceded to them that they were not bound to risk their lives, liberties, and fortunes, in submitting themselves to a reign of terror. No doubt the French settlers felt equally as insecure as the English inhabitants, and in all, to use the language of Dr. Coke, "the dread of danger became the parent of dis-"affection."*

* 2 Coke's *Week Ind.*, 171.

Notwithstanding the dreadful example of St. Domingo, it does not appear that at this period of my narrative any fears were entertained in Tobago of the servile race there. Sir William Young, himself a large proprietor, visited the island in 1792, and in his interesting journal, before quoted, he thus expresses himself:—"The necessities of the island have demanded the residence of the planter; and the critical state of the French Government, and the wild notions and conduct of the French people in the colonies, have brought the old English settlers in Tobago and their negroes to a system of reciprocal regard and mutual determination to resist particular wrongs or a general attack. The planters here talk of their negroes as their resort to be depended on against either a licentious garrison, an arbitrary governor, or the mad democracy of French tricksters."

Sir Wm. Young's narrative, although written in the careless style of a private journal not intended for publication, is so interesting, as giving a faithful picture of the country at the time he writes, that I cannot forbear introducing large extracts from it.

Sir William having left St. Vincent on Monday, the 5th of March, 1792, in the *Flora* sloop of war, for Tobago, I take up his journal at the next day:—

"Tuesday, March 6.—At four, P.M. Tobago in sight; our course close to the wind, making for the body of the island.

"Wednesday, March 7.—Close in with the land, and most of the day beating to windward, with a strong lee current. In the afternoon were off Man-of-War Bay.

"Thursday, March 8.—The wind E.S.E., and a strong lee current against us the whole night. At daybreak we found our ship nearly where she was the preceding sunset. In the evening we weathered St. Giles' Rocks and Little Tobágo, on the N.E. end of the island. Lay-to during the night.

"Friday, March 9.—At sunrise were off Queen's Bay, on the leeward coast, whence we ran down with both wind and current in our favour, and anchored in Rockly Bay about 12 o'clock.

"Saturday, March 10.—Went to Riseland, or Sandy-Point, in the S.W. part of the island—a country almost flat, but beautifully spotted with mountain cabbages and various trees—Trinidad, at 18 miles' distance, appearing plain to the eye.

"Sunday, March 11.—This morning early I rode five miles across the island from Riseland to Adventure Estate, in Courland Bay division. In traversing the country, and on my return, I was much struck with its beauty, from the flat at Sandy-Point quietly breaking into hills, till ultimately at the N.E. it becomes a scene of mountains and woods. I particularly noticed the great extent of provision grounds, and the fine healthy looks of the negroes in general, arising from the plenty around them. I saw no marks of the whip on their backs, at least not here or at St. Vincent's. The punishments were either so unfrequent or so little severe as to leave no traces for any length of time.

"Thursday, March 15.—Early in the morning set out, and in the afternoon reached the Louis d'Or Estate, twenty-two miles from Port-Louis.* From the very point of the

* Scarborough was then so called.

"town of Port-Louis the country becomes hilly; and as you farther advance the hills rise into mountains, not broken and rugged as the convulsed country of St. Vincent's, but regular although steep, and on an enlarged scale of regular ascent and descent. The scene of nature is on an extensive scale, and gives the idea of a continent rather than an island. It is not alone its vicinity to the Spanish main that suggests this idea. The appearance of the island fully warrants the assumption, and the contiguity of South America only more fully marks its being torn therefrom, and of its being in old times the Southern point or bold promontory of the vast Bay of Mexico.

"Friday, March 16.—This day I rode over my estate. . . . On the beach at Queen's Bay are brick and stone pillars, not unlike the great gate of an English park, whence the eye is directed up an avenue of cocoa-nut trees, and from thence, in the same straight line, through a broad and regular street of negro houses at a mile from the gate to the works, which terminate the avenue, and have the appearance of a church built in the form of the letter T, with a tower raised in the centre. Over the works rise a precipice, on which stands the mansion-house, nobly commanding the whole vale. A fine river winds from the back mountains under the point of the great ridge on which the house stands, and then pours, in a direct line, nearly by the east of the negro village into the sea. In its course it supplies a canal for turning the water mill. The negroes on this estate are a most quiet and contented people. Some asked me for little trifles of money for different purposes, which I gave them; but there was not one complaint; for old Castalio came to

“me as a kind of deputation from the rest, to tell me that
“‘Massa Hamilton was good manager and good massa.’ In-
“deed, the negroes are generally treated as favourite children
“by their masters in Tobago. The negro houses throughout
“Tobago are much superior to those in St. Vincent’s or even in
“Antigua.* Mr. Franklyn, junior, informs me that each of his
“negro houses has cost him 23 johannes, or about forty
“pounds sterling, including the negro’s labour. These houses
“are built of boards uniform throughout the estate, and are
“about 26 feet long by 14 wide, consisting each of two apart-
“ments, besides a portico or covered walk, with a seat in front,
“of which a closet from the end is taken from the portico to
“form a kitchen or store room. The roof is of shingles. In
“St. Vincent’s the negro houses are of no fixed dimensions ;
“some are very large, and some are very small, according to
“the fancy or ability of the negroes, who are, however, gener-
“ally assisted by their masters with posts and main timbers,
“and occasionally supplied with boards. Thus the village is
“irregular ; some of the houses boarded, some of stone and
“part boards, and most of them wattled or thatched. Within,
“the houses are as comfortable as those in Tobago, but not so
“durable, and the portico of the Tobago house is a superior
“comfort.

“Saturday, March 17.—I passed the morning in seeing
“various of my negroes, particularly the women and their
“creole children. This last year I have had an increase of
“thirteen children, of whom only one has died. I ordered, as at
“St. Vincent’s, five yards of fine printed cotton to every woman
“who had reared a child, and gave ten barrels of pork among

* Sir William Young owned property in the three islands.

“the negroes in general. Riding out I paid a visit of
“some length to the Red Charaibs families, of whom Louis
“is the head. Two of the young women were truly hand-
“some: the old Indian dress is lost, and they wore hand-
“kerchiefs, cotton petticoats, and jackets, like the negroes.
“The tents were scarcely weather-tight, being wattled and
“thatched, crowded with all their filth and all their wealth—
“the latter consisting of a great variety of nets for fishing,
“hammocks for sleeping in, and different sorts of provi-
“sions, stores, &c., &c. Beasts, stores, and people all in one
“room.

“At two o'clock we set out for Mr. Clarke's, five miles
“from Louis d'Or, on the road to Port-Louis. Mr. Clarke's
“house is an excellent building, framed in England, and
“placed on the very pinnacle of the highest mountain in
“Tobago, with garden and shrubberies, abounding with birds
“of most splendid plumage. The variety, beauty, and num-
“ber of the feathered tribes in Tobago are indeed at once
“delightful and astonishing. I must observe farther on the
“country of Tobago, that although it is not a twentieth part
“cultivated, yet it is all, or for the most part, improvable.
“Mr. Hamilton, who has passed many successive nights in
“the woods, and in traversing the country, assures me there
“is nowhere a rock, or scarcely a large stone, to be found,
“except upon the coasts and beach. Though the season is
“now dry I observed in many parts large spots or fields of
“guinea grass, which would fatten cattle of the largest breed.
“As a timber and a victualling country it seems valuable
“in an imperial as well as commercial point of view—a

“resource to armies and fleets as well as to the merchant and
“planter.”*

Here the tourist ends his notes on Tobago, to which we are indebted for a view, limited though it be, of the colony seventy years ago, when it was a dependency of France, and at a period when, as such, the calm composure which these notes bespeak of one so deeply interested in its well-being as Sir William Young, is remarkable. This he has in some measure explained by his statement of the confidence which the old English settlers reposed in their slaves at this alarming crisis. It is to be wished that he had given a more general view of society and the state of the country at the time he wrote, in the familiar style in which he has chronicled what has been handed down to us: it is by information so conveyed that we live in the past; but what this journal tells of the condition of the slave in Tobago, at the time when these remarks were jotted down, is as gratifying as it is interesting; and this most prominent feature, at that period, of West India life, we have no reason to believe is otherwise than faithfully sketched. We now neither hear nor see anything of the Charaib; nor is there even a legend of any of the descendants of the patriarch Louis. They have passed from the land and from the living, without leaving in any a recollection of their existence. The Louis d'Or Estate is now known by the name of Betsy's Hope, and has lately been purchased by the Honourable John McCall, a planter resident in the island, and some other parties, from the representatives of John Robley, a former proprietor; but there is a portion of the Estate still known as the

* Bey. Edw. West Ind., vol. iii., p. 279, 5 ed.

Louis d'Or. Mr. Clarke's Estate was the first in the island from which sugar was shipped. The dwelling spoken of by Sir William Young no longer exists: its site is only marked by some brick foundations in ruins, and two or three cocoa-nut trees; it is out of cultivation, but is attached to the Kendal Place Estate, the property of the Honourable James Leith.

CHAPTER IV.

FROM THE RECAPTURE OF THE ISLAND, IN 1793, TO THE APPOINTMENT OF
MAJOR GRAEME AS LIEUTENANT-GOVERNOR.

ON the reduction of Tobago, in 1793, it was erected into a separate government under a Captain-General and Governor-in-Chief, or a Commander-in-Chief for the time being, with a Council appointed by the Crown, and a House of Representatives of the inhabitants, under the denomination of a General Assembly; and on the 6th of January, 1794, his Excellency George Poynts Ricketts assumed the chief command over the island as Captain-General and Governor-in-Chief, William Myers having held previously a temporary command as Lieutenant-Governor. Very shortly after the arrival of Governor Ricketts the work of legislation by the Governor, Council, and Assembly commenced, and was actively prosecuted, but I venture to think upon an erroneous principle. Acts were passed to revive and put in force former Acts of the island, supposed to have expired in consequence of the island having been ceded to France. The preamble to the first of the reviving Acts calls for notice—it recites that on the 15th day of April, 1793, the island of Tobago, being part of the territories of France, was happily conquered by his Majesty's forces, under the command of Major-General Cornelius Cuylerand and Vice-Admiral Sir John Laforey, whereby his Majesty acquired a right to establish such government, and to impose such laws on the inhabitants of the said island as might be most agreeable to his royal will and pleasure.

And it further recites, that by the conquest of the island and the final establishment of the Government, all laws theretofore enacted by former legislatures of the island ceased to be in force. I must own I was not a little surprised when I first read this preamble. To determine the legal character of the settlement in Tobago it would be useless to consider the various claims to sovereignty over it advanced from time to time by different powers. Suffice it to say, that while under the rule of the British Crown Englishmen settled there, and that the natural allegiance which they owed their Sovereign could not be forfeited, cancelled, or altered by any change of time, place, or circumstance, and any obedience that they may have been induced to promise to a foreign prince in any manner, however solemn, could not relieve them from their obligations to their King; so that when in the fluctuating events of either war or peace Tobago fell under the dominion of the British Crown, it required no new compact or engagement to bind English subjects in allegiance to their Sovereign; and as allegiance on the part of the subject, and protection on the part of the sovereign, are reciprocal obligations, it appears to me to be a monstrous anomaly to consider the English inhabitants that were in Tobago in 1793, when it was once more reduced to British rule, a conquered people, over whom the King possessed a legislative authority to impose on them such laws "as might be most agreeable to his royal will and pleasure." On the contrary, I cannot but consider the English inhabitants that were in Tobago in 1793 as British subjects, who, the moment the island was reduced by the British arms, were remitted to those laws, which, as Englishmen, they carried with them as their birthright, for the protection of their per-

sons and property, when they settled there on the invitation of the Crown, under the terms declared by the royal proclamation of the 7th October, 1763. And not only do I consider that these settlers were entitled to the full benefit of the common law of England, and all statutes in affirmance of the common law passed antecedently to the latter date, but that they had a right to claim the constitution then granted by the Crown to those who should colonize the island—a right to which they were also remitted. And in support of this reasoning, it may be remarked that the Crown issued no proclamation prescribing a form of government for the inhabitants on the reduction of the island in 1793, as it had done in 1763. And we shall see as we proceed that in 1802 Tobago was ceded to the French, and that in 1803 it was again taken by the English. Now, if Tobago were to be considered, in a legal point of view, as a conquered country, and not as a colony, when it was reduced by the English arms in 1793, so it must have been considered under similar circumstances in 1803. But the insular statute book is altogether silent as to this event. We have no declaration that the island was happily conquered by his Majesty's forces, whereby his Majesty acquired a right to establish such government and impose such laws on the inhabitants of the said island as might be most agreeable to his royal will and pleasure. Nor are we told that by the conquest of the island, and the final establishment of the government, all laws theretofore enacted by former legislatures of the island ceased to be in force. So far different was the view of things then and since taken, that the Acts of the island passed in 1794 have been, ever since 1803, considered in full force, save where they have been repealed.

And this, it is conceived, is the principle on which the legislature and the courts of law should have proceeded on the reduction of the island in 1793. The course then adopted has caused much difficulty in solving the very important question—"What laws of the mother country are in force in "Tobago?" This difficulty, I believe, gave rise to what is termed the Declaratory Act, passed in 1841, which, however, is only the substitution of one evil for another. This Act leaves the question still unanswered. Under its provisions the judge is, in each particular case that may come before him, in which a question shall arise as to the applicability of a British statute to the place, to exercise a legislative function, and to declare whether such statute is suited to the circumstances and population of the colony, and therefore in force here. This is in effect an *ex post facto* law, by which a character is given to the act after it has been done, and this entirely dependent upon the opinion of a single judge, however penal the statute in question. Mr. Ricketts was appointed Governor of Barbados in 1794, and the Governor next in succession to him was William Lindsay, Esq., who died at Orange Hill on the 22d May, 1796, and was buried there. He was followed by Governor Stephen De Lancy; and in the early part of 1800 Richard Martin, Esq., was appointed Captain-General and Governor-in-Chief of Tobago and its dependencies.

In the year 1801 the peace of the colony was seriously threatened by an intended rising of the slaves. "This insurrection was designed to take place on the night of Christmas, 1801, and the signal was to be the setting fire to the canes nearest to the dwelling of each estate. It was hoped that

“the appearance of the flames would induce the whites to hasten to the spot, and that they might then be murdered with little difficulty. The carnage was designed to extend not only to the planters, but also to such of the negroes as refused to join the standard of revolt. The intended insurgents were several thousands in number, while all the force which Brigadier-General Carmichael could muster did not exceed 200 soldiers. Luckily he obtained a knowledge of the plot just when it was on the point of being carried into execution, and his presence of mind enabled him to frustrate the plans of the conspirators without danger and without any shocking effusion of human blood. Having seized thirty of the ringleaders, he ordered one of them to be hanged at daybreak the next morning on the signal-staff, and the body to be thirty times lowered and re-elevated, a signal-gun being fired at each elevation. The insurgents, who at a distance witnessed the execution, were thus led to believe that one of their chiefs perished at each raising of the body; and the salutary effect of this belief was, that, supposing themselves to be without a leader, they surrendered or dispersed. For his firmness and wisdom on this occasion Brigadier-General Carmichael deservedly received the thanks of the Legislature, together with the gift of a sword.”*

This was not the only occasion on which a spirit of revolt was manifested. In the years 1770 and 1771 no less than three insurrections of the slaves took place, all of which were happily put down.

Much to the grief and disappointment of the English settlers in Tobago, who formed by far the largest number of the free

* Bry. Edw. West Ind., vol. 5, p. 92, 5 ed.

inhabitants, by the third article of the treaty, or rather truce, of Ameins, the colonists found themselves in 1802 once more delivered up to the French; but Napoleon Buonaparte, then First Consul, had graciously and wisely determined not to change the constitution or laws of the ceded country; and he appointed General Sabuguet as Governor, charged with the execution of such his purpose. The General arrived in Tobago on the 2d October, 1802, and met the Council and Assembly on the 11th of that month, and formally announced to them the noble gift of which he was the bearer, and assured the Chambers of his desire to carry out the Consul's purpose in the most liberal spirit. This in a great measure calmed the anxiety and dispelled the fears of the inhabitants; and so much were they pleased with their new Governor, that the Legislature not only granted him the salary of £3300, which had been usually allowed the British Governors, but voted him a free gift of £4000. The General died before the money could be raised, but it was with much liberality bestowed on his widow. On the death of General Sabuguet, the prefet Mons. de Muguetot administered the government. Buona- parte in his advance to power did not lose sight of Tobago: he caused the question whether he should be elected Consul for life to be submitted to its inhabitants, and on the 25th November, 1802, the Council and Assembly returned the votes of Tobago unanimously in favour of the ambitious aspirant, with a very loyal address, which, says Sir William Young, was couched in terms of high-flown compliment.

At this time the colonists appointed Mr. John Getrie as their agent in Paris. But the French rule was not long to continue. On the renewal of the war on the 30th June,

1803, Tobago was invaded by a British naval and military force, under the command of Commodore Hood and General Grinfield. No resistance was to be expected from the English inhabitants, who were glad to return to their legitimate allegiance. "The forces were landed and marched to Scarborough, without any opposition being attempted on the part of the enemy, except from a single battery, quickly silenced at the moment of disembarkation. The Governor, General Cæsar Berthier, was, in truth, too weak to endeavour to resist the progress of the British. On the first summons he consented to capitulate, and his feeble garrison, consisting of somewhat more than two hundred soldiers and sailors, laid down their arms on condition of being allowed to return to France."* Since this, no foreign foe has disturbed the peace of the island, which, by the treaty of Paris in 1814, was finally ceded to Great Britain. It is said that the colonists were much indebted to the exertions of Sir Arthur Piggott in effecting this arrangement. He was the agent of the island, and his brother, the Honourable Elphinstone Piggott, had been for many years its Chief Justice.

I pass to the appointment of Sir William Young as Governor, who arrived in the *Thames* frigate, and was sworn in Council on the 20th April, 1807. The appointment of one so distinguished in the literary and political world as Sir William Young, to the government of the colony, is an event that claims especial notice, particularly from a West Indian; for at a time when sectarian influence, and a desire to establish political capital out of the question of slave emancipation in the colonies, were brought cruelly to bear on the character of

* Bry. Edw. West Ind., vol 4, p. 123, 5 ed.

the West Indian, Sir William Young was, in the House of Commons, his fearless, honest, and able defender. The administration of government by such a man could not have been otherwise than successful. The most uninterrupted harmony subsisted between himself and the various branches of the Government. He was indeed the friend of the colony, and did not oppose its interests in the hope of furthering his own views by the support of a faction. "So highly were his merits appreciated by the Colonial Legislature, that at two different periods, and by two unanimous votes, a grant of two thousand pounds was presented to His Excellency for his unremitting exertions for the public good." It was, therefore, with deep regret that all classes of the community mourned the loss of this able governor and accomplished gentleman. Sir William Young died in Tobago on the 11th January, 1815. The Legislature caused a tablet to his memory to be placed in the church at Scarborough, when it was erected in 1819.

Sir Wm. Young was succeeded by Major-General Sir Frederick Philipre Robinson, K.C.B., who arrived in the island and assumed the government on the 13th November, 1816. During his administration, the church in Scarborough and the court-house were built. The first is a respectable building, but the pews and other internal arrangements have been allowed to fall into a most disreputable state of decay, conveying to the mind the idea that no one cares about it. Before these pages pass through the press, I trust I may be able to note that something has been done to give a decent appearance to the House of God. The court-house is a fine and substantial building, where most of the public officers have chambers, and is very creditable to the colony.

In 1824, the islands of Barbados, Grenada, St. Vincent's, Dominica, Antigua, and Montserrat; St. Christopher, Nevis, and the Virgin Islands; Trinidad, Tobago, and St. Lucia, and their respective dependencies, were erected as a Bishop's See, under the denomination of the Bishopric of Barbados and the Leeward Islands; and in 1831, the colony of British Guiana was added to this already too extensive diocese. There were three archdeaconries—one including Barbados, Grenada, St. Vincent's, Trinidad, Tobago, and St. Lucia; another, Antigua, Montserrat, St. Christopher, Nevis, and the Virgin Islands; and the third British Guiana. No person could in every respect have been better fitted to grace the inauguration, and perform the duties of his high office, than Doctor Coleridge, the first Bishop of Barbados and the Leeward Islands. To all the requisites of a Christian prelate he added the attainments of a scholar, the graces of an orator, a fine figure and face, with dignified deportment. After a career of usefulness, he retired in 1842, and the diocese of Barbados and the Leeward Islands was divided into three Bishoprics. The first, comprising Barbados, Trinidad, Grenada, St. Vincent's, Tobago, and St. Lucia, called the diocese of Barbados; the second, comprising Antigua, Montserrat, St. Christopher, Nevis, and the Virgin Islands, called the diocese of Antigua; and the third, comprising Demerara, Esiquibo, and Berbice, called the diocese of British Guiana—all subject and subordinate to the Archiepiscopal See of Canterbury. Dr. Parry was appointed to the Bishopric of Barbados, Dr. Davis to the Bishopric of Antigua, and Dr. Austin to that of Demerara. The diocese of Barbados is divided into two archdeaconries, the one including Barbados, St. Vincent's, and

St. Lucia, styled the archdeaconry of Barbados ; and the other, Trinidad, Grenada, and Tobago, styled the archdeaconry of Trinidad. There are three rectories in Tobago, established by an Act of the island, passed the 26th February, 1844. The united parishes of St. Andrew and St. George, including the town of Scarborough, form one ; the united parishes of St. David and St. Patrick, with part of the parish of St. John, form another ; and the third, or windward benefice, includes the parishes of St. Mary and St. Paul, with the other part of the parish of St. John. Thus are the seven parishes into which the island is divided placed under spiritual care. The stipend of each rector is £320 per annum, with fees ; besides which, an allowance of £20 per annum is made to the chaplain of the jail, and £10 per annum to the chaplain of the alms house.

The person in administration of the government on the island is the patron of each living, and he presents to the bishop for induction. An Act of the Legislature was passed on the 27th December, 1856, to enforce church discipline, and to establish vestries in the several parishes of the island. This Act repeals former Acts on the same subjects, and extends to this island the Ecclesiastical Laws of England, so far as relate to the due ordering and ecclesiastical regimen and jurisdiction of the Church of England. And the judges of the courts of law are required to be aiding and assisting in carrying into execution, in matters relating to the clergy, all orders, process, and proceedings, in the same manner as the common law courts in England aid the ecclesiastical courts there. In this Act there is a provision worthy of remark, viz., that it shall not be lawful for any rector or curate to act as the

attorney of an absentee in the management of an estate, or to act as the receiver of one. This Act makes provision for an inquiry into any alleged neglect of duty or misconduct on the part of a rector or curate; for leave of absence to either; and for serving the cure in case of the infirmity of the incumbent. It also provides for the registration of baptisms, marriages, and burials; for the election of vestrymen; the appointment of churchwardens, and the payment of pew rents—for the particulars of all of which I must refer those who would inquire farther to the Act itself, as it would not be excusable to waste the time of the general reader on such details. I leave this for a more interesting subject.

England, worthy of the name of a nation, and conscious of its own religious existence, while it afforded full liberty of conscience to all, rose up early in its efforts to establish a Church in the islands of the Grenada Government, wherein those who should emigrate, and their children, might be perfected in their spiritual nature, according to the principles of the holy catholic religion, as maintained in the mother country. Not content with establishing a civil polity and Government, the Crown, in the best exercise of its undoubted, at the time, legislative authority, threw an important portion of the colonial elements into another mould, and constituted out of them a society which is in the colony, though not exclusively of it, being part of the great whole of the Church of England. Such was the Church in the old colonies, such it is, and such it ever will be. It is gratifying to work out this subject by reference to historical facts, and to authority on which the doctrine I have stated is founded, particularly at a time when some would gladly think that there is no Church in the

colonies, and that, under the authority of the two cases of Long and the Bishop of Natal against the Bishop of Cape Town, decided by the Judicial Committee of the Privy Council, the members of the Church of England in the British settlements abroad are in the same situation with the members of any other religious body—in no better, but in no worse position. Now there happens to be nothing in either of the cases referred to to encourage such an idea—the dicta of the judges in those cases being expressly confined to places where there is no Church established by law—in all the old colonies in the West Indies the Church of England is established by law. As an example of this I shall take the Grenada Government, as the one with which I am more immediately dealing, and as its constitution in Church and State is the same as the other old British settlements in the West Indies. It follows, therefore, that the decisions in the two cases in the Privy Council in which Dr. Gray appeared as respondent have no application here. On the cession of the Southern Charaibbean Islands to England in 1673, the Crown, when its authority was unimpaired by any previous grant, was pleased to declare by the Royal Commission to Governor Melville that he and all public functionaries should not only take the state oath of allegiance, but those of abjuration and supremacy, and make and subscribe the test as required by the 25 Car. 2d. And by one of the instructions accompanying that Commission the Sovereign was pleased to declare *that to the end that the Church of England might be established both in principle and practice*, and the French inhabitants be induced to embrace the Protestant religion, and their children brought up in the principles of it, Protestant schools should be established, and

a glebe in each parish provided for the maintenance of a Protestant ministry. I have before me an opinion of the Attorney and Solicitor Generals Arden and Macdonald, given on the subject with reference to Grenada, addressed to Lord Sydney, in the year 1785, from which I subjoin the following extract:—

“In humble obedience to his Majesty’s commands, signified to us by your Lordship’s letter of the 5th day of April last, referring to us the copy of a letter from Governor Mathew to your Lordship, dated Grenada, 27th December, 1784, we hereby certify to your Lordship that the stipulation contained in the former and late treaties of peace, securing to his Majesty’s Roman Catholic subjects the free exercise of their religion, as far as is consistent with the laws of England, cannot place them on a better footing than that of tolerated Dissenters, *whilst the Protestant is by law the established religion of the island.*” If any thing were wanting, after the clear terms of the Royal Commission to Governor Melville, by which the constitution in Church and State of the islands of Grenada, the Grenadines, Dominica, St. Vincent’s, and Tobago was established, and the equally clear opinion of the law officers of the Crown just cited, to prove the existence of the Church of England as the Established Church in these colonies, it would be found, as regards Tobago, in the before-mentioned Act of the island, passed on the 27th December, 1856, and in the several Laws, now repealed, which were from time to time enacted by the Tobago Legislature for the government of “*the Church,*” and for regulating other matters connected therewith. I refer to the repealed Act of the 15th May, 1843, in which the insular laws alluded to are mentioned.

Sir Frederick Robinson having left the island, he was succeeded in command by Major-General Nathaniel Blackwell, who arrived at Courland in the ship-of-war *Victor* on the 31st July, 1828, and was sworn in Council the next day. Shortly after the arrival of General Blackwell the present Government House was erected near the site of the old one on Mount William. Government House is about two miles from Scarborough, whence it is approached by an excellent carriage road, kept in good order. It is on an elevated situation, cool and healthy. The building, though large and lofty, has no claim to architectural excellence; and to three fine reception rooms have been sacrificed all its other apartments.

In 1833 a change occurred in the government of Tobago. General Blackwell was succeeded by Major-General Henry Charles Darling, not as Captain-General and Governor-in-Chief, but as Lieutenant-Governor, the island having been included in the Windward Island Government, which then comprised—together with Tobago—Barbados, Grenada, and St. Vincent's. In 1838, to these was added St. Lucia. At the time of the change referred to in 1833 the Windward Island Government was under the command of Sir Lionel Smith, as Governor-in-Chief. Barbados, as the most populous and important of these islands, is the seat of government, where the Governor-in-Chief resides. No commission as Vice-Admiral was held by the Lieutenant-Governor of Tobago; but the Governor-in-Chief held one general commission as Vice-Admiral, which extended over all the islands under his government.

We now arrive at the year 1834, memorable as the epoch of emancipation. This great change cannot be duly consid-

ered without reference to circumstances preceding it, and to consequences attendant on it. We must go as far back as the abolition of the slave trade in 1807. This truly politic measure was considered by the West Indian as opposed to his best interests, whereas the result has proved it to have been in every respect a blessing. It taught the planter the value of human life, and transformed the spendthrift in manual labour into its careful economist. Before the abolition of the slave trade it required a constant importation from Africa to supply the waste of human life; when the supply ceased, the want was no longer felt, and the labouring population proved sufficient for the profitable cultivation of the soil. The planter was taught that it was his interest to be kind to and careful and considerate of his slave. This interest begot feeling, and this feeling spread around, and thus a tone was given to West Indian communities which they did not before possess. I am quite sure that the abolition of the slave trade did more to humanize the feelings of the planter, and improve the condition of the slave, than any other measure of Government. The fear that his interest would be prejudicially affected by the measure, however, cast a cloud over the judgment of the planter; and it was only experience that taught him that it was more his interest to preserve the life of his slave than to waste it by over-exertion. Had the West Indian in this, and in other instances, disabused his mind of false impressions with regard to measures proposed for meliorating the condition of the slave, and prepared himself to view them through a dispassionate medium, he would have occupied a higher ground, and taken a more advantageous position, than his inconsiderate opposition gave him.

The change from slavery to freedom was a mighty experiment. Judging from first principles, it could not have been otherwise than successful; but there was so much of detail to be provided for in order to secure the successful application of first principles, that the most sanguine watched the result with painful anxiety. Those who were not present cannot judge of the feelings of those who stood on the verge of the change. Before us was a great chasm, over which the major part of our society was to bound. Its extent was unmeasured; and no one could with certainty calculate on the consequences that were to follow: this only was certain, that those consequences were of the first magnitude, involving not only life and property, but the future civilization of the emerald wreath which binds the brows of the Charaibbean Sea. And well might the most liberal, wise, and good have contemplated the change with anxiety, fear, and doubt. The scheme of a probationary state, termed apprenticeship, following on freedom, involved a contradiction in terms, presented an anomaly to the negro which he could not reconcile, and created in his mind doubts, which fell, not on the authors of the measure, but on his former master, who, in his legislative capacity, was called on to carry into effect in the colonies the plan proposed by Government.* The negro could not understand that "massa the King" had paid a price for his freedom, only to rivet the chain anew under another name. True, he was told

* "The liberated Africans were most injudiciously apprenticed for fourteen years, and some even for a longer term. They had neither the motive of the freeman nor that of the slave. They could not legally demand wages. They could not legally be subjected to the driver."—*The Edinburgh Review*. No. 90, p. 36. [This is an error; the longest term was six years.]

that he would, in the course of some few years, become absolutely free; but this appeared to him only as a hope deferred, at which his heart sickened, rather than as a good to be kept in view, to cheer him on, to give spirit to his exertions, and to confer patience and contentment during a temporary bondage, in which he was to learn the duties and obligations which a state of freedom would impose. To use a trite but expressive proverb, "The cart was put before the horse:" the negro was first made a freeman, and then condemned to a modified slavery. The old African, with the acuteness which forms so leading a trait in his character, observed "that children were "put out as apprentices to learn trades, but what was he to learn? He was too old to become a cooper, carpenter, or "mason;—he knew how to plant the cane, to weed, to hoe—"what was he to learn? Such was not the law the King had "made. You read um wrong," said he to the local authorities. His mind was quickly awakened to the follies and contradictions of the scheme which were opposed to his interest, and by which his expectations were delayed; but he could not believe that these follies emanated from the councils of royalty. He rather attributed them to the subtilty of his former master, who, he imagined, had robbed the gift of its present value, and cheated him of his rights. Had the King's Government been strong enough to have boldly and manfully said, despite of what is termed the pressure from without, "it is fit that, previously to the full enjoyment of freedom, the "slave should be schooled in apprenticeship, and therefore we "will first make him an apprentice and then a freeman," much of evil would have been obviated; but the weakness which will ever characterise a Government which makes a sacrifice

to obtain a sickly popularity was here evident—a tub was thrown to the whale—the people in Great Britain were told that the negroes in the British Colonies were emancipated, when, in fact, the state of the apprenticed labourer was by no means so happy as that of the slave had been. The laws passed for the protection of the apprenticed labourer guarded against abuses which had long ceased to exist; while the rights secured to him by law fell far short of the many indulgences which were voluntarily awarded to the slave, and which were indeed far beyond the reach of law. The interposition of the authority of the special magistrate begot, on the part of the master, jealousy, and the desire of resistance; and on the part of the labourer it encouraged insubordination, and engendered mistrust as to his employer. These feelings banished much of that kindness which had for some years past alleviated the evils of slavery, and called into being some of its almost forgotten and most distinguishing traits. This could not long continue: the true state of things was soon discovered, and ministers were called on to do away with the apprenticeship, and thus perfect the freedom which twenty millions of the nation's treasure had been expended to purchase. The ministry were obliged to declare that they were bound to guarantee a continuance of the term of apprenticeship, as it formed part of the contract between the mother country and the colonies which they were bound to maintain; but in this, as in many other instances, weakness was the parent of fraud. Ministers had not strength to support the principle that they admitted they were pledged to defend; they did not choose openly to violate their contract, but they had recourse to craft to avoid it: they procured an Act of Par-

liament to be passed which pressed so unfairly on the planter as to induce all the colonies at once to anticipate the period of perfect emancipation, and to do away with apprenticeship altogether.* Well would it have been for the colonists had all followed the enlightened course pursued by the Legislature of Antigua, and at first cast away the temporary and half measure of an apprenticeship term, which was a blunder only calculated to create bad feelings between the labourer and his employer.

On the 1st of August, 1838, unconditional freedom was declared, and this in a spirit, on the part of the colonists—as evidenced by the enactments of their several legislatures—of the greatest kindness and consideration for the emancipated. The well-behaved were secured in the enjoyment of their dwellings on the estates until the 1st of October then following; and the planter was obliged to provide for the sick and infirm until adequate provision for their support should be made by the Legislature, or unless they had any relative in the first degree capable of maintaining them. It is to be remembered that the term of apprenticeship of the *non prædials* expired on the 1st August, 1838, and that of the *prædial* labourers would have expired on the 1st August, 1840. We have been taught to think that no great change can occur either in the physical or moral world without some convulsion; that even in man's life, when those periods arrive in which changes take place in his constitution, they are attended with shocks that endanger his existence; but in the West Indies, on the 1st August, 1838, an exception to this rule was found. The day was set apart as one of religious

* 1 Col. pol. of ad. of Lord J. Russ., 56.

observance, and peace and quiet prevailed. These facts, while they afford evidence of the influence of religion on the minds of the peasantry, also supply gratifying testimony in defence of the character of the planter. The many acts of kindness which had passed between the planter and his slave, which the apprentice labourer had not altogether forgotten to appreciate, and which were recalled to the memory of the freeman, served to unite the different classes of our society in their new relations. If, in the record of former days, before civilization and humanity had established their influence, there is to be found the sad memorial of debasement, cruelty, and crime, the circumstances which attended the change in August, 1838, prove that, under the influence of improved feelings, which had been working their silent way for many years, the hand of the master had inclined the plane which safely led from slavery to freedom. If the slave had been the depressed creature which some would have represented him to have been, he would not, in all probability, have so gently glided from the one state to the other. Indeed, many of the immunities which freedom conferred were enjoyed long before the 1st August, 1834. Those rights which law had not secured were guaranteed by public opinion; and the last gave such support to the first as to insure to the nominal slave many of the blessings of freedom, while he was relieved from its cares and absolved from its obligations. The most important question that the abolition of slavery has given rise to is that of labour. As a means for immediately supplying the demand for labour I venture to think that immigration is the most effectual; but there are moral agencies, which will be considered before I leave the subject, which appear to me

to claim the first attention in providing labour for the future. It is to be remarked, however, that immigration not only acts immediately, by throwing a supply into the labour market, but it acts morally, by the stimulant of competition, and by teaching the native labourer that the planter can be independent of him.

There are three Acts of the Legislature of Tobago now in force on the subject of immigration. The first is an Act passed on the 4th June, 1852, entitled "An Act for the better protection of persons under the care and control of others, as apprentices, servants, or liberated African immigrants." By this Act, where the master, mistress, or employer shall be legally liable to provide food, clothing, or lodging, for an apprentice, servant, or immigrant, and shall fail in so doing, or when the master, mistress, or employer, shall assault an apprentice, servant, or immigrant, whereby his life shall be endangered, or his health affected, such master, mistress, or employer, shall be guilty of a misdemeanour, and shall be punished by imprisonment, as in the Act is mentioned. In the interpretation clause of this Act, the word "immigrant" is declared to "mean any person from Africa who shall be imported or brought into this island by her Majesty's Government." The second is an Act passed on the 11th May, 1857, entitled "An Act to remove doubts as to the rights of the liberated Africans in Tobago." By this Act all liberated Africans domiciled or resident in the island are to be deemed natural born subjects of her Majesty, and are capable of taking, holding, conveying, devising, and transmitting, any real or personal estate within the colony. And the words "liberated Africans" are declared to mean "all

“persons dealt with or detained as slaves, who heretofore have been, or hereafter may be seized or taken, under any of the Acts for the abolition or suppression of the slave trade, by her Majesty’s ships of war or otherwise, and liberated or delivered to the officers appointed to protect, receive, or provide for such persons, and all other persons who, as having been dealt with, carried, kept, or detained as slaves, may have been taken and liberated, or received, protected, or provided for under any of the said Acts.” The last Act on this subject was passed on the 15th May, 1861, and is entitled “An Act to amend and consolidate the laws regulating and making provision for the treatment of liberated African immigrants.” This Act repeals two former enactments on the same subject, but leaves untouched the two lastly referred to. It provides for the reception of liberated African immigrants on their arrival in the island, and for their support and maintenance until allotted to the parties who shall apply for them, and enter into such contract with them for their services as is prescribed by the Act. This contract is limited to a period of three years, and is required to be made in the island. The Act prohibits any immigrant, under fifteen years of age, from entering into a contract for service; but it authorises the Governor to direct any Justice of the Peace to assign the care and custody of such immigrant to such person as he (the Governor) may approve of, until the immigrant shall attain the age of fifteen years. Immigrants between the ages of fifteen and twenty-one years may enter into contracts for service, with the consent of the father of the immigrant; if he be dead, of the mother; and failing both, with the consent of the stipendiary magistrate of the district before whom the contract shall be

entered into. The contract for service is not assignable by the employer, and the immigrant cannot be rendered liable to serve any other than the employer in the contract named, or his legal representative in case of his death; nor can the immigrant be removed from the estate or land where his services are originally engaged to be performed but with the consent of the Governor. The immigrants are to be lodged by the employer in comfortable houses, and to be provided with medical attendance in sickness; and a weekly allowance of food, as prescribed in schedule G of the Act. The employer is also to furnish the immigrant, in each year, with the articles of clothing enumerated in the same schedule. The first year's clothing is to be furnished the immigrant on his entering into the contract. Added to which, the adult labourer is also to be provided by his employer with an iron pot, or other convenient cooking utensil, and spoon, and each man with a common clasp knife. The employer also engages to allow one pound of soap per month to each immigrant, and a pound of tobacco to each adult immigrant. To each African above fourteen years of age he is to allow a quarter of an acre of land for the cultivation of ground provisions. After three months those above fourteen years of age receive threepence per week in addition to food, and the allowance of tobacco ceases. After six months, those who are capable of working receive the current rate of wages in lieu of food, soap, and the weekly allowance of threepence. The rate of wages is settled by the stipendiary magistrate of the district. The present rate of wages, as settled by the stipendiary magistrates, is eightpence a day. The immigrant is allowed sufficient time and opportunity for education and religious instruction, and the employer is bound

to bury those who die. In consideration of these obligations on the part of the employer, the immigrant is required to labour for him five days in each week, at the rate of nine hours to each day of labour, commencing at six in the morning and terminating at six in the evening, with intervals of one hour for breakfast and two for dinner. It is by the Act under consideration stipulated that the persons to whom immigrants are allotted shall pay into the public treasury twenty shillings a head for such as are above the age of fourteen years, and ten shillings for such as are between the ages of eight and fourteen years. The immigrants are placed under the protection of the stipendiary magistrates of the respective districts in which they are located. Immigrants are prohibited, while under contract, from leaving the island without a passport, to be signed by the stipendiary magistrate of the district, and countersigned by the immigration agent; and the captain of the vessel that shall carry away such immigrant without a passport is subjected to a penalty. Persons employing immigrants not under contract with them are made subject to the penalty and liabilities in the Act mentioned. Jurisdiction is given to the stipendiary magistrates of the respective districts in which the immigrants are settled to inquire into all breaches of contract, either on the part of the employer or immigrant, and to adjudicate therein, and generally on all complaints between them. And authority is also given to the stipendiary magistrate to dissolve the contract if they shall consider it necessary so to do. The executive committee for the time being are appointed commissioners for the purposes of the Act, and the Governor is authorised to appoint an immigration agent. It is by the last clause of the Act

declared that the word "immigrant" shall, for the purposes of that Act, mean any person from Africa who shall be imported or brought into this island by her Majesty's Government.

In considering these Acts it is apparent that that of the 4th June, 1852, so far as it applies to immigrants, should not have been left on the statute-book, as the omission by the employer to supply them with food, clothing, or lodging is fully met by the Act of the 15th May, 1861; and as regards an assault committed by a master, mistress, or employer, on an apprentice, servant, or immigrant, dangerous to life, or by which the health of the person assaulted may be affected, it would be much better to leave this offence to be punished by the penal code in force in the island—a variety of laws on the same subject only tend to embarrass and confuse. It is also to be remarked, that by the Act of the 11th May, 1857, the captured African brought here is clothed with the character of a British subject the moment he arrives, whereas the African who has never been dealt with as a slave, and who has not been captured, but voluntarily emigrates from his country to this place, is not admitted to the same rights and privileges. Farther, it is to be observed, that for the purposes of the Act of the 15th May, 1861, the word "immigrant" means any person from Africa who shall be imported or brought into this island *by her Majesty's Government*. So that there is no law applicable to the case of an immigrant not imported or brought into this island by her Majesty's Government. It was evidently the intention of the Legislature to confine immigration to natives of Africa; perhaps it would have been better if other labour markets had been opened to

the necessities of the public. But if driven to elect, I should certainly choose the African immigrant. There can be no doubt but that he will be found the most useful labourer in the West Indies. Naturalists have said that in the negro the *rete mucosum* (that mucilaginous net-work that is found under the cuticle) not only gives the colour to his complexion, but is impregnated with an oil that resists heat; and no one can see the negro lying on his back, with his face exposed to a burning sun, and sleeping soundly, without injury or inconvenience, and not feel convinced that nature has afforded him some defence against the heat of the sun which is denied the white man. The negro, moreover, is of an enduring nature; he can bear long abstinence, eats sparingly, and is sustained chiefly on vegetable food. And I am prepared to say, from an experience of the negro character of many years, that his nature is by no means savage, and that he is susceptible of gratitude and affection. I have heard of and seen many interesting instances in which these feelings have been displayed, by the negro supporting his former master when reduced to poverty.

The Home Government, alive to the necessity of an increase to the means of labour in the West Indies, and perhaps willing to get rid of a number of captured Africans, which it might have been difficult otherwise to dispose of, liberally furnished the West India colonies, free of expense to them, with labour, by sending there liberated Africans from Sierra Leone and St. Helena. And in February, 1858, it was decided that, as far as practicable, this supply should be afforded in the following proportion—viz., British Guiana, 8; Jamaica, 5; Trinidad, 4; St. Vincent, 2; St. Lucia and Tobago, 1 each.

Antigua and St. Kitts were subsequently added to the scale, and were to receive the same proportion as St. Lucia and Tobago. In this boon Tobago participated by receiving, in 1851, from St. Helena, 292 captured Africans; and in 1862, a farther shipment from the same place of 225 captured Africans. Of the last there is every prospect of their doing well; and of the first, Governor Drysdale writes, under date of the 23d April, 1858, that "many are married, and are proprietors of small freeholds, most of them being actively engaged in the manufacture of the staple produce of the island, either as melayeis, or as day labourers on the estates."

But the assistance which this immigration afforded has ceased to exist free of expense to the colonies. The Duke of Newcastle, in a circular dispatch dated the 7th November, 1861, addressed to the Governor of Barbados and the Windward Islands, writes thus:—"I think, therefore, that the time has arrived for reconsidering the arrangement under which the Home Government undertook the whole expense of furnishing the West India colonies with this kind of labour. When the system of transferring captured Africans to the West Indies first came into operation, the colonies had been suffering under a severe depression, occasioned, to a certain extent, by imperial legislation. Her Majesty's Government were, therefore, naturally anxious to afford as much relief, and in as liberal a spirit, as circumstances would admit. To supply the colonies, without expense to themselves, with such liberated Africans as would be willing to proceed to the West Indies as labourers, was obviously a very appropriate measure—possessing the double merit of promoting

“at the same time the interests of the planter and the welfare
“of the Africans. Happily, the circumstances and prospects
“of the West Indies are now greatly changed for the better.
“The colonies that require labour can and do provide funds
“for importing it. The same reason, therefore, no longer
“exists for supplying them with Africans at the expense of
“the Home Government. The plan of fixing a definite sum
“per head, to be contributed alike by all the colonies, though
“possessing the advantage of simplicity, would, I think, be
“open to some objections. If the contribution were fixed
“very low, it would continue in part that imperial assistance
“which, I think, it is now time to discontinue. If it were
“high, it would bear the appearance of a sale of negroes by the
“Home Government to the colonies. I propose to avoid these
“objections by requiring each receiving colony to pay all the
“expenses incurred in the removal of the people from the
“place at which they may have been originally landed, leav-
“ing all the expenses incurred before embarkation to be
“defrayed, as at present, by the Home Government. This is
“an intelligible and self-adjusting line of division, and, as it
“appears to me, perfectly fair to both parties. Under it the
“colonies will have to provide for the freight of the vessel,
“for the gratuities to the surgeon and officers of the ship, &c.,
“and the usual fee to the emigration agent who embarks the
“people. This fee is now fixed at a dollar a head; but it is
“subject to reduction should the emigration become so large
“and regular as to produce a salary disproportionate to the
“officer’s services. To this extent the imperial funds will
“gain. On the other hand the colonists will still retain the
“advantage of getting the Africans free from those charges of

"collection, for establishments abroad, and for back passages
 "which they now pay in respect to Coolie immigrants.
 "Assuming that not more than one-third of the Coolies return
 "home, I find that during the last three years about £20* per
 "adult has been the average cost of importing Coolies and
 "providing them with back passages, while the average cost
 "of transport for the Africans during the same period has
 "been, from Sierra Leone, £6, 11s. 6d., and from St. Helena,
 "£8, 3s. 4d. per adult. Adding to this the usual gratuities to
 "officers, the expense to the colonies of introducing liberated
 "Africans under the new plan will still be far less than that
 "of introducing Coolies or Chinese. The funds for meeting
 "the colonial portion of the expenditure may be provided and
 "distributed in the same manner as those required for the
 "Coolie immigration—one-third of the gross cost being thrown
 "on the general revenue, and the remaining two-thirds on the
 "planting interest, in accordance with the principles laid down
 "in my dispatch of the 13th July, 1860. The employers of
 "the Africans might be required to pay a portion of the
 "planter's contribution at the time of the allotment, and the
 "balance in three years. As the cost of introducing the
 "Africans will be much more than that for the Coolies and
 "Chinese, I think the term of service under indenture should
 "also be less. I see no reason for disturbing the existing
 "rule on this head, which, after much deliberation, fixed

* Passage money,	£11 10 2
Indian expenses, and gratuities to officers,	4 0 0
Passage back,	4 10 0
	<hr/>
	£20 0 2

“the period at three years, and in that shape has been
“incorporated in the legislation of some of the colonies. I
“propose that the new plan should apply to all ships leav-
“ing Sierra Leone or St. Helena on or after the 1st April
“next; and should any of the colonies under your Govern-
“ment wish to avail themselves of the new arrangement, you
“will take the requisite steps to obtain the legislative sanction
“that will become necessary for carrying out some of the
“details. In this case you will at once inform me which of
“the colonies acquiesce in the plan, in order that I may settle
“the proportions in which the Africans shall be distributed
“among the several colonies that may come into the arrange-
“ment. It will also be necessary that by the 1st of January
“in each year the Home Government should be informed what
“number of Africans (should they be available) each colony
“is willing to receive during the current year, and what pro-
“vision it is proposed to make for defraying the expense of
“their importation. It will, of course, be borne in mind that
“although the arrivals must necessarily be uncertain, it will
“be requisite to be prepared at all times with funds to meet
“the freights and other expenses of the transit, which will be
“made payable in the colonies in the same manner as in the
“case of vessels carrying Coolies.”

Among a certain party, who have been ever inimical to the interests of the West Indian, and among those who subserve that party, it is not surprising to find many who urge objections to immigration. It has been contended that those for whose benefit immigration is resorted to (meaning thereby the planter on whose estate the immigrant is employed) should bear the expense of it; and that it is unfair to apply

any part of the general revenue to defray the expenses of immigration, whereby the labouring class contributors to that revenue are compelled to pay for the importation of labour to compete with their own. To these arguments it has been well answered by the Emigration Commissioners, in their letter of the 15th March, 1858, addressed to Mr. Merivale:—
“ If the Government interferes, as it does interfere, to take out
“ of the hands of the planter the collection and shipment of
“ emigrants; to limit the duration of contracts; to prescribe
“ terms of service; to license emigrant ships; and generally to
“ prohibit, on account of liability to abuse, such modes of
“ operation as the private importer, if left to himself, might
“ adopt—it becomes difficult both in practice and in equity to
“ enforce the strict rule that he who benefits by the immigrant
“ shall pay for his introduction.

“ It must also be remembered that a properly regulated
“ immigration, by increasing the importance of the colony,
“ and retaining in it the whole population, is an advantage to
“ the whole tax-paying community; and that, under the peculiar
“ circumstances of the case, it is not, perhaps, wholly
“ unreasonable to require the emancipated and prosperous
“ creoles to contribute towards operations calculated in some
“ degree to indemnify their employers against the losses resulting from emancipation.”

No attempt has been made by the opponents of immigration to show that it has not increased the produce of the earth, which, in agricultural countries such as the West Indies, is the source of wealth to all; nor has any attempt been made to show that immigrant labour is obtained at such cost as to be unremunerative. In the absence of all proof esta-

blishing either of these hypotheses, and on the contrary, with the proof before us that immigration increases the annual produce of land and labour, and arrests the decline of industry, to say that the planter should not be supported by the public in procuring immigrant labour, because it will compete with the labour of the former slave or his descendant, is to advocate the worst of all monopolies—the monopoly of labour, whereby the labourer becomes the master of his employer, labours how and when he likes, and at such rate of wage as he may please to dictate. But the Colonial Office has done all that it could, very wisely, to check emigration from one British colony to another. In a circular dispatch from Earl Grey to the West India Governors, dated the 14th September, 1846, his Lordship says—"I have to desire that you "will on no account sanction the payment, from public funds "under your control, of bounties on emigrants arriving from "any of her Majesty's possessions in the West Indies."

It may be necessary to mention that the question of immigration has been very recently brought before the Secretary of State for the Colonies, in a controversy on the subject between the Assembly of Antigua and Mr Hamilton, the late Governor of that island. The Duke of Newcastle, in a letter addressed to Mr. Hamilton, and dated the 10th January, 1863, says—

"10. The arguments urged by you against immigration are "similar to those urged by Governor Hincks, when Governor "of the Windward Islands, against immigration into St. Lucia "and Grenada.

"11. Like Governor Hincks you urge that better accommodation, higher wages, and more regular payment, would

“obtain from the native peasantry all the labour necessary for
“the estates, and that to import labour under these circum-
“stances is unjust to the native peasantry, and a waste of the
“local revenue. . . . It is, I think, admitted
“that in Antigua a large quantity of land has of late years
“been bought and occupied by emancipated slaves and their
“descendants, and that these people are prosperous and
“independent, and that year by year the more industrious of
“this class withdraw from field labour to become small pro-
“prietors. This is not a state of things to be discouraged, but
“it necessarily carries with it a continuous reduction in the
“number of the most valuable labourers at the command of
“the planters. Without, therefore, denying that more liberal
“treatment on the part of the planters might produce better
“service on the part of the labourers, there is, I think, suffi-
“cient reason for assuming that the planters know best, at all
“events, the present and immediate demands of their own
“labour market, and for not denying them the advantage of
“immigration which has been conceded to other colonies.”

Although there is to be found on the journals of the House of Assembly of Tobago a resolution, entered into on the 10th April, 1858, by which the urgent necessity for immigration is declared, and a pledge is given to make good the means to effect it; and although there is to be found also on the journals of the Board of Council a resolution entered into on the 21st May in the same year, by which that Board pledged itself to concur in any grant of money necessary for the purpose of immigration, yet no Act has been passed to redeem those pledges, and therefore immigration is closed against Tobago. It is due, however, to the Assembly to say, that they

did pass a bill to raise funds for the purpose of immigration; but it was burked in Council.

Implemental husbandry must also be mentioned as a means for immediately supplying the demand for labour; and to the extent that it displaces manual labour it throws numbers into the market, rendering the supply more plentiful, and the commodity therefore cheaper. But I fear that implemental husbandry is not as much resorted to in Tobago as could be desired. I have known in St. Kitts a field of land prepared for cultivation, planted, weeded, and on which the cane has been brought to a healthy maturity, without any manual labour being employed than such as was used to guide the plough and the weeding machine, and to put the plant into the furrow which the plough had made. The steam plough, I understand, has lately been introduced into Antigua with success.

Laws to compel labour, and to enforce the performance of contracts between the employer and the employed, act both immediately in supplying labour, and morally in ensuring it for the future. It would certainly be no easy task to prepare a legislative measure that would compel all the idle to labour. Class legislation on any subject is bad, and could not be allowed; and no law would be tolerated that empowered any minister of justice or police to compel a person, simply because found unemployed, to labour. And however advantageous it might be in some individual cases, it would be no easy matter to carry out the law of Pisistratus, by which all citizens who had no regular employment were removed from the city and compelled to engage in some rural occupation. The nearest approach we can make to compulsory labour is by punishing

those whose idleness amounts to vagrancy ; and by compelling those who would be employed as porters, jobbers, or boatmen, to obtain licenses, and by subjecting them to stringent rules for the government of their conduct in such employments, so that the assumed character may not be, as it too often is, a cloak for idleness. What shall amount to vagrancy may be defined by legislative enactment, regard being had to the circumstances of the colony and the character of its population. There is an Act of the island of Tobago on this subject, passed on the 28th March, 1839, entitled "An Act for the suppression of vagrancy and for the punishment of idle and disorderly persons." It is usefully extended in effect by the 8th clause of an Act passed on the 11th September, 1843, entitled "An Act for regulating the police of the said island, "and more particularly of the towns of Scarborough and Plymouth;" but this is a disjointed and bad method of legislation, and particularly objectionable on such a subject as vagrancy. It is also to be remarked that the terms used in the Act of the 28th March, 1839, to designate the property intended to be protected against the picklock, &c., should be made more applicable to the buildings on a sugar estate. There is no law that requires more clearness and precision than that which seeks to enforce the performance of contracts between the employer and the employed; but the Act of the island of Tobago on this subject, and that of another island that has come under my notice, are both singularly remarkable for their obscurity. The Tobago Act bears date the 28th April, 1856, and is entitled "An Act for regulating the "relative rights and duties of masters and servants."

Without proper sanitary laws, manual labour, however

acquired, cannot be preserved. It is, therefore, requisite that all dwellings, thoroughfares, streets, and public highways should be subject to the inspection of health officers, and power should be given to these to remove or cause the removal of any noxious matter that may engender disease. It is also of the first importance as a means to the same end that medical assistance should be provided by the public for the poor, for women in labour, and for infants, under such restrictions as may prevent an abuse of the charity. There is in force in Tobago an Act entituled "An Act to make sanitary regulations for the towns of Scarborough and Plymouth, and the island generally," passed on the 24th August, 1853, by which some of the objects proposed have been attained, and the poor to a certain extent receive medical assistance in the hospital at Fort King George; but the supply of medical aid to women in labour, and to infants, is wholly unprovided for. As a farther means for preserving manual labour, I may mention maintenance for the poor and destitute. This is provided for in Tobago by the Appropriation Act, passed in each year; and it is a subject of gratification to me to be able to say that this provision appears sufficient for its purpose, for whatever the amount of privation that may be known to many in the island, arising from general depression, we seldom encounter mendicancy.

Reformatory establishments I regard as important moral agents in conducing to the supply of labour for the future. The juvenile offender should be received in the establishment, where he would be removed from the contagion of the matured criminal, undergo his punishment, and at the same time receive the benefits of religious and industrial education.

These establishments may be so extended as to receive destitute children without parents or other relatives, or whose parents or other relatives allow them to wander abroad in idleness and vagabondism—care being taken to keep the juvenile offender from the destitute child.

Religious and industrial education for the young will be found an efficient means for supplying in due season faithful and industrious labourers. Schools should be supported by the public, where children should be taught sufficiently to enable them to read their bible, write, and calculate a week's wages. They should be daily exercised in tilling the soil, taught the proper time and manner of planting and reaping, and instructed in the manufacture of the staple produce.

I pass over a long interval, without any incident to notice, until the death of General Darling, which occurred in this island on the 11th February, 1845. He had been in command for twelve years, and appears to have held the reins of government with a steady hand, and to have been much respected by the inhabitants. The remains of General Darling lie interred at Scarborough. In the September following Major Græme arrived, and assumed the command of the island as Lieutenant-Governor.

CHAPTER V.

OF AND FROM THE HURRICANE OF 1847 TO THE PRESENT TIME.

THE current of events now brings us to the disastrous hurricane of 1847. The island had been subject to no visitation of the kind since 1790; and the inhabitants, forgetting that there had once been a hurricane in Tobago, flattered themselves that they were without the range of those fearful storms that so often devastated the more northern Antilles;* and authors of respectability have gravely stated such to be fact; but this delusion was dispelled on the night of Monday, the 11th October, 1847. As is generally the case, a sultry and oppressive day was the precursor of the tornado of the night; heavy clouds were seen gathering to the west and north, and as the evening advanced the wind freshened from the northward, accompanied with heavy rain. These indications would have prepared any person accustomed to witness a West India hurricane for what was to come; but, with few exceptions, little or no apprehension was created, and therefore little or no preparations were made to meet the danger. But about ten o'clock at night, the raging wind blowing from the northwest, rain in torrents, the loud thunder and the vivid lightning, awakened all to the dire reality that a hurricane of irresistible violence was desolating the land. A severe earth-

* The chain of islands from the Bahamas to Tobago, and connecting the vast continents of North and South America, from the first discoverers have received the general appellation of Antilles, or frontier isles.—*Young's West Ind. Commonplace Book*, p. 166.

quake is said to have preceded the first outbreak; and in such a war of elements it is not unlikely or unusual to find the earthquake contributing its force to increase the general devastation. At one time the wind veered towards the south; it then blew with increased violence from the north-east until one in the morning of the 12th, when it abated. We are told that the lightning was of such frequent occurrence, and so vivid during the storm, as to prove of much service to persons escaping from falling houses and seeking some place of refuge; and that its benefits were acknowledged by those on board the vessels that were stranded, as without it greater damage than was occasioned must have been sustained both to life and property. It has been stated upon reliable authority that the wild animals and birds were so subdued by the violence of the storm as to be easily taken by the hand.

The amount in value of private property destroyed by this disastrous gale has been computed at nearly £150,000. On the estates, thirty dwelling houses and twenty-six sugar works were demolished; and thirty-one dwelling houses and thirty-three sugar works injured. Four hundred and fifty-six of the labourers' cottages were razed to the ground, and one hundred and seventy-six greatly damaged. In Scarborough and its environs one hundred and twenty-two houses of all descriptions, including out-buildings, were blown down, and eighty-four much injured. The barracks on Fort King George were entirely unroofed, and some of the walls thrown to the ground. Such was the state of desolation there, that for want of other shelter it was necessary to place the troops under canvas, and as soon as it could be effected the white troops that composed part of the garrison were sent to Trinidad. One soldier of

the 19th Regiment was killed and another seriously injured ; and several soldiers of the 1st W. I. Regiment received severe hurts from the falling of the ruins. The deputy ordnance storekeeper also suffered from the same cause; and the first adjutant received a contusion while extricating the sufferers from the falling buildings. The number of lives lost on the night of the 11th amounted to twenty-six, and several persons died afterwards from injuries then received. The *Tobago Chronicle*, of the 19th October, from which much of the foregoing information is derived, gives the following distressing narrative :—“The most afflicting casualty that has yet come “to our knowledge occurred on Mount Pelier Estate, the residence of Peter Tait, Esquire, the attorney of that property. “It appears that the family, a visitor (Mrs. Shaw), and a few “domestics, had been rather late in making their exit from “the dwelling, and that when at last the necessity for an immediate escape became imperative, as the crashing of falling “materials threatened instant destruction, each made a desperate effort for that purpose; when unfortunately Mrs. Forbes, “the only daughter of Mr. Tait, and her infant child, with her “servant, were, it is supposed, killed instantaneously, by the “falling of an immense beam of hardwood. Mr. Tait had his “right leg broken and his right shoulder severely bruised ; “but by great exertion succeeded in dragging the former from “underneath the beam which inflicted the injury, and crawled “on his hands and knees to a small unroofed outhouse, in “which, with a little black boy whom he saved from the ruins “and carried on his back, he remained exposed for three hours “to the inclemency of the weather ; and although calling for “assistance at the utmost stretch of his voice, no one heard

“him, in consequence of the violence of the storm. He then “made an effort, with the little boy on his back, to make his way to some of the labourers’ houses, and was found when he “reached half way. Mrs. Tait, after great exertion, but without sustaining any very serious injury, succeeded in getting “into a place of safety until the hurricane abated.”

The neighbouring islands, with the exception of Trinidad, escaped this awful visitation. The hurricane appears to have tracked from S.W. to N.E., taking within the sweep a portion of Trinidad and the Spanish Main. It was slightly felt on the Continent, and passing over the Gulf in the direction already indicated, it left San Fernando and that part of Trinidad untouched. It slightly visited Port Spain, but, gathering strength, struck the northern part of the island, and proceeded in its full force to Tobago.

Tobago still feels the effects of the hurricane of 1847; and coming as it did immediately after the measure of the Imperial Parliament, by which British colonial sugar was to be subjected to a competition with sugar the produce of slave labour, it is matter of wonder that the colony should have held its own, if not progressed as it has done. But energy and perseverance can do much, and individuals of all classes exerted themselves in their several vocations to maintain the institutions and restore the prosperity of the country, added to which, prompt assistance was afforded from the British treasury. By the statute of the 11th Vic., cap. 22, secs. 7 and 8, a sum not to exceed £50,000 was granted, by way of loan, for the relief of Tobago, at an interest of 4 per cent., on the security of the revenues of the island. By an Act of the island, passed on the 16th March, 1849, the Governor was authorised

to appoint "Loan Commissioners," who were empowered to advance from this loan to owners, and others interested in landed property which had suffered injury by the hurricane, sums not less than £50 to each borrower. These advances were to constitute the first lien on the property in respect of which they were made, and were to be repaid, with five per cent. interest, by ten equal annual instalments. In like manner, the repayment to her Majesty's treasury was to be made by ten equal annual instalments; but with this difference, that the first instalment payable by the island borrower became due on the 1st August, 1850, while the first instalment payable to her Majesty's treasury became due on the 1st August, 1851. Subsequently, by an Act of the island, dated the 23d April, 1850, the "Commissioners of the Loan" were authorised to pay to the order of the public treasurer such sums as he from time to time might, with the sanction of the Governor, apply for, not exceeding £6000, to be appropriated to the repair of the public buildings. By this Act the payments to her Majesty's Government, and by the borrowers in the island to the Loan Commissioners, were postponed. The payment of the first instalment to the Home Government was deferred to the 1st August, 1852, and each succeeding instalment to the 1st day of August in each year after; but the interest due on the loan up to the 1st of August, 1850, was to be paid on the 1st August, 1851. As regarded the island borrower, he was to pay, on the 1st of August, 1850, the interest then due, and to pay the first instalment of principal, with the interest at that time due, on the 1st of August, 1851; and the remaining instalments, with interest, were to be paid on the 1st of August in each succeeding year. It

appears, by the recitals to an Act of the island passed on the 16th February, 1856, that of the £50,000 granted by way of loan to Tobago, only £20,000 was taken, and that of such sum £13,222 was advanced to the sufferers by the hurricane. It appears, also, on the same authority, that by payments made from time to time the debt due on the loan to the Home Government was, on the 1st August, 1854, reduced to the principal sum of £14,000, payable by seven annual instalments of £2000 each, with interest at the before-mentioned rate of 4 per cent.; and that the sum due by the island borrowers to the Loan Commissioners amounted to £9255, 8s., payable by seven annual instalments of £1322, 8s. each, with an interest of 5 per cent. The object of that Act was to extend the time for payment of these liabilities, and reduce the rate of interest. It was, therefore, provided that, at the expiration of three months from the passing of the Act, the Loan Commissioners should pay into her Majesty's treasury £500, being the interest due on the 1st August, 1854; and a farther sum of £1000 on account of the principal. And the residue of the debt, with interest reduced to $3\frac{1}{4}$ per cent., was to be paid by fourteen equal annual instalments—the first on the 1st October, 1855, and the remaining instalments on the 1st October in each succeeding year until the debt should be liquidated. Under this new arrangement the island borrower was required to pay up the amount payable by him at the time of the passing of the Act; and the payment of the residue of principal, with interest at $4\frac{1}{4}$ per cent., was extended, as in the case of the debt due the Home Government, over a period of fourteen years, to be discharged by equal annual instalments of principal money and interest—the payments to be

made on the 1st day of August in each year, commencing with the year 1855. This engagement has been happily kept with the Home Government, and there have been but few instances in which it has been necessary to resort to extreme measures against the island borrowers. On the 1st October, 1862, the balance due by the colony on the loan was £5000; and the balance due the Loan Commissioners, by persons borrowing money of them, was, on the 1st August, 1862, £2650.

Her Majesty's Government evinced much liberality in consenting to the insular enactments, by which the periods for payment of the loan were twice deferred, and the rate of interest on one occasion reduced. In addition to this, let us not forget the gracious acknowledgment that "the colonies had been suffering under a severe depression, occasioned to a certain extent by imperial legislation;" and the great boon of immigration, free of expense for some years, granted in consequence. It is gratifying to be able to notice such instances in which the mother country comes forward as the mother indeed to nurture her colonies, particularly when it is admitted that the colonies have suffered from some necessary measure of general policy that has borne hard on their individual case. The sympathy renders the gift more valuable.

It would be assuming too much at this time to question the expediency of the hurricane loan: the colony was on the brink of ruin, and in its desperate condition it might have been necessary to resort to the expedient of borrowing; but such loans, generally speaking, entail much suffering on a community, are not always applied to the purposes intended,

and should not be resorted to but under a pressure of the most urgent necessity. It has been a subject of pleasing reflection to me, in reviewing the past, to remember that some friends with whom I had the pleasure of acting in a legislative capacity, with myself were enabled in St. Christopher's to resist strenuous efforts that were made to burthen the island with a loan on occasion of the earthquake of 1843. What I have seen of such loans, generally, has served to strengthen the opinion on which I then acted. In 1850 an Act of the Local Legislature was passed to repeal certain duties imposed by authority of the Imperial Parliament upon goods, wares, and merchandise, not being the growth, produce, or manufacture of the United Kingdom, or of the British possessions, imported into the island. These duties were at that time levied under an Act of Parliament, the 8th and 9th Vic., cap. 93, to regulate the trade of the British possessions abroad. This Act was the continuation, by amendment and consolidation, of other Acts, which, for a series of years, had been passed to the like effect. It established certain ports in the several British possessions in America and the West Indies called "free ports," in which alone could any traffic by them with foreign countries be carried on. The importation into these colonies of gunpowder, ammunition, arms, and utensils of war, from any foreign state, was prohibited; as was also, for the protection of the colonists, the importation of coffee or sugar, (not being refined in bond in the United Kingdom), or molasses or rum, being the production of the British possessions in the East Indies or of a foreign country. And the colonists were not allowed to import base or counterfeit coin from any place. The duties imposed were not intended as a source of revenue,

but as a protection to the trade of the mother country with her colonies, which, from the time of the protectorate of Cromwell to the commercial revolution of 1846, was the cherished policy of the British Government. In compliance with the 18 Geo. III., c. 12, the net produce of these duties was to be paid by the Collector of Customs into the colonial treasury, for the use of the colony. To carry out the details of this Act, an extensive staff of officers, and much office accommodation, were required, and as the net proceeds of the duties only were to be paid over to the colonial treasury, the pay of the officers and other expenses of the establishment were always deducted in the first place from the produce of the duties received.

In the year after the passing of this Act the change occurred in the commercial policy of the British Government to which I have referred. On the 28th August, 1846,* an Act of Parliament was passed, in obedience to the admitted doctrine of free trade, authorising the Colonial Legislatures to reduce or repeal any of the duties of customs imposed by the 8 and 9 Vic., cap. 93. But no Colonial Act for such purpose was to come into effect unless assented to by the Crown, nor until such assent was proclaimed in the colony where the Act was passed.

Simultaneously with the passing of the Repeal Act of 1850 by the island legislature, they also passed a Tariff Act, imposing duties on imports, which were intended to take the place of those which had been imposed by the Imperial Act.

I should mention that in accordance with the Act of Parliament of the 28th August, 1846, by the terms of the Island

* 9 and 10 Vic., c. 94.

Repealing Act, of 1850, it was not to come into operation until it was proclaimed in the island.

Under such circumstances, one would suppose that the Legislature would have made some provision to stay the effect of the Tariff Act, until the Act repealing the imperial duties should become law, or that the Executive would have withheld their assent to the former until the latter Act came into operation; but, without any heed being taken to the fact that on the assent to the Tariff Bill being given two sets of duties would become payable, the concurrence of the local Executive was given to both bills on the same day.* This blunder led to another. Major Græme having represented to the Governor-in-Chief, Sir William Colebrook, the hardship of subjecting the merchants to the operation of the new tariff, unaccompanied with the repeal of the imperial duties, pending the reference of the Repeal Act for confirmation, the Governor-in-Chief authorised him to suspend the collection of the imperial duties, taking, however, security for the amounts from the importers, and this was attempted by Major Græme, by an order of the 21st June, 1850, in opposition, as I have been informed, to a strong remonstrance from the then Collector of the Customs. This strange attempt to annul an Act of Parliament by the order of a Colonial Governor—a power which the British constitution does not allow to the Crown itself—as we may suppose, was not sanctioned by the Home Government. The Commissioners of the Customs protested against it; and under instructions from the Colonial Office, President Yeates in Council, on the 27th December, 1850, rescinded it. But the difficulty was by no means re-

* 23d April, 1850.

moved. The Home Government was not disposed to bear the expense of the Customs' establishment in Tobago from June to December; but rather than resort to the importers, in the first instance, and enforce their bonds, the Government required the Island Legislature to make good such expenses, in so far as the same had been theretofore defrayed from the imperial duties. But to this the Assembly replied that they would not assume the payment of the bonds, or be parties to enforcing them against the importers, as they would thereby be made liable for, or become parties to, a wrongful act, over which they had no control whatever, and to which they were in no wise assenting, but which emanated solely from her Majesty's Chief Representative in the Windward Islands, in the mistaken exercise of his authority as such, he having set aside, or overlooked, the provisions of an Act of the Imperial Parliament. In this state the matter remained until the administration of Governor Drysdale, who succeeded in obtaining payment from the obligors of the full amount of the imperial duties for which they had become responsible.

The Colonial Repealing Act having at length been sanctioned by an Order of the Queen in Council, and it having been proclaimed in the island on the 1st February, 1851, it then became law.

For many years before the final abolition of the imperial customs in the colonies the several establishments were, as opportunity offered, reduced in the number of officers, and amount of stipends; and on the repeal of the imperial duties they were relieved of a considerable portion of their former business; and the officers whose services this change rendered unnecessary were superannuated—placed on the redundant

list with a trifling allowance—or had gratuities given them. But many duties yet devolved on those who were retained in the service, under the Navigation,* Registry,† Abolition of Slave Trade,‡ Merchants' Seaman's,§ Passengers',|| Post Office,¶ Foreign Equipment,* and Copyright† Acts. They had also to enter and clear vessels; to prevent prohibited goods from coming into consumption; to secure such prohibited goods as might be warehoused for exportation; to grant certificates of origin of produce; to collect and account for the tonnage duties; to receive and account for all moneys due and payable to the Crown; and to prepare statistical returns. In November, 1864, it was certified in the colonies that her Majesty's Government had determined to withdraw at the earliest possible period the comptrollers of customs and other imperial officers acting under them in the North American and West Indian colonies, and to transfer their duties to the officers of the Colonial Customs; and this resolve was carried into effect on the 5th of January following, on a principle of the most rigid economy, both with respect to the outgoing and the incoming officials. The treasurer of the island now discharges the duties of comptroller of customs, and of navigation laws, without any remuneration, save some trifling fees, amounting to about £6 per annum, received under the Merchant Shipping Acts.‡

Thus an extensive means and cause of intercourse between the colonies and the mother country ceased, and a strong link in their connexion was severed, while the new blood which

* 8 and 9 Vic., c. 88. † 8 and 9 Vic., cap. 89. ‡ 5 Geo. IV., c. 113.
§ 7 and 8 Vic., c. 112. || 5 and 6 Vic., c. 107. ¶ 1 Vic., c. 33, 34, 36.

* 59 Geo. III., c. 69. † 5 and 6 Vic., c. 45.

‡ 17 and 18 Vic., c. 104; 18 and 19 Vic., c. 91; 25 and 26 Vic., c. 63.

had been introduced into the colonies by the appointment of Europeans to offices in the customs ceased to circulate.

The death of Major Græme, at Tobago, on the 14th December, 1850, terminated his rule, which, unfortunately, is not to be remarked as an era of either quiet or prosperity. It would answer no useful purpose to enter at large on the events of the period. Happily is it that as time advances men are taught to be more regardful of the rights of their fellowmen, and acts that were committed not more than ten or twelve years ago without other than a passing comment would not now be tolerated. No judge would at this time venture to punish, by way of attachment, as for a contempt, a publication in a newspaper which he should construe into a libel on himself, or on the court over which he presides; whereas, in 1847, some very remarkable instances of this exercise of authority are to be found on the records of the courts of this island. In making these observations, I would not be understood as attempting to define the limit to which the power of a court extends in punishing what it may adjudge to be a contempt—I speak of the caution with which that power should be exercised, and which should influence a judge in restraining him from condemning the man he accuses, and from deciding on what is or is not a libel on himself—a question in which feeling must enter with more or less force.

The person next in command as Lieutenant-Governor was His Excellency David Robert Ross. His commission bears date the 11th February, 1851, and he arrived in the island and was sworn in Council on the 16th April following. This gentleman's tenure of office was of short duration, and its termination melancholy. Returning to Government House on

the morning of the 28th June, not three months after his arrival, from a ball given at the Court-house, in Scarborough, in commemoration of her Majesty's accession to the throne, and which he had been earnestly solicited to countenance by his presence, he was thrown from his gig down a ravine and killed on the spot. The Governor quitted the ball-room about two o'clock in the morning, and left for Government House in his gig, accompanied by a servant. The night was very dark, and in consequence he proceeded slowly and with the utmost caution; but when he had progressed within a quarter of a mile, or thereabouts, of Government House, at a place where, at that time, the road was narrow, with a high bank on one side and a deep ravine on the other, there is good reason to believe that the unfortunate gentleman, with a view to keep at a distance from the ravine, drove too much on the opposite side of the road, and finding the gig lean over, and fearing it might upset, he drew up the horse. The animal, instead of obeying the check and stopping, kept on backing until it put the gig over the side of the road into the ravine, which was about thirty feet deep. The Governor was precipitated to the bottom, and coming in contact with a large stone, received an injury on the head which caused instantaneous death. It is to be observed that the servant, horse, and gig were uninjured. Their safety may be attributed to the horse, which, having felt itself drawn by the weight of the gig and servant, resisted, as the marks on the side of the ravine seemed to indicate, and was thus gradually drawn down to the bottom, where it was found standing with the gig. The servant was so unnerved as to be unconscious of everything.

Governor Ross was succeeded as Lieutenant-Governor by His Excellency Dominick Daly. His commission bears date the 7th August, 1851, but he does not appear to have been very eager to assume the trust committed to him, as it was not until the 14th January, 1852, that he arrived in Tobago; and the office, on the duties of which he so tardily, perhaps reluctantly entered, was quickly relinquished. Governor Daly left the island on leave, in consequence of ill health, on the 25th July following his appointment, and did not return. Some time elapsed before his successor was named; and in the meantime the Government was administered by His Honour Mr. President Yeates, the senior Member of Council, to whom, as such, it devolved, in the absence of a Lieutenant-Governor, or other officer specially appointed by the Crown to administer the government under the terms of the commission then held by the Governor-in-Chief. The reins of government had on many previous occasions fallen into the hands of Mr. Yeates, and although no measure of reform could be expected to originate with one holding a mere temporary command in the absence of a superior officer, yet I have reason to believe that the interests of the community were as well considered by President Yeates as by any other ruler. It was in the month of January, 1854, that the troops composing the garrison of Fort King George, and kept there by the British Government for the protection of the island, were withdrawn—her Majesty's Government having resolved to concentrate the forces stationed in the smaller islands at Barbados, and to leave those colonies to their own resources for the preservation of internal peace and order. It was, however, promised by the Home Government that provision

should be made for a ship of war to be constantly within call of Barbados, for the conveyance of troops to any of the islands in case of necessity; and all the military buildings, with a proportion of small arms in the several colonies whence the troops were removed, were placed at their disposal.* This measure was certainly injurious to the island, as it withdrew, together with the troops, a large sum of money, which was circulated by them among the merchants, shopkeepers, and peasantry, in the purchase of their wares, stock, and provisions. And in a social point of view, society suffered from the loss of some among the military and their families, who were calculated to impart to it a healthy tone and character. And as the inhabitants had for years been accustomed to rely for protection on the garrison stationed in the island, much apprehension was entertained by some that on the removal of the troops they would be exposed to the rapine and violence of the turbulent wicked. Such misgivings under the circumstances may not be considered unreasonable, nor, as we shall see in the sequel, were they unfounded; but they spoke the want of that self-reliance which is essential to advancement and prosperity both in the individual and the state, and in the absence of which is found the humiliating influence of fear. But measures were taken by the Legislature to reassure the timid and give security to all. An Act was passed on the 11th January, immediately before the troops left, entitled "An Act to augment the Police Force," by which an efficient armed police, consisting of an inspector-general, a superintending sergeant, two sergeants, six corporals, and

* Dispatch of the Duke of Newcastle to Lieut.-Gen. Wood, dated 21st October, 1853.

twenty-four privates, were embodied. These were instructed in the use of the firelock and in military movements, so as to render them, as far as their numbers would permit, not only a civil constabulary, but an available military body. At the same time an Act was passed to legalize the embodiment of armed volunteer corps. These measures of defence proved neither unnecessary nor premature, as a plot to burn and pillage the town, murder the white inhabitants, and violate the females, was discovered by the confession of an accomplice. Two of the ringleaders, emigrant negroes from Barbados, named Joseph Arthur and Thomas Millington, were arrested and tried* for a conspiracy; and, being found guilty, were sentenced to two years' imprisonment, to pay each a fine of ten pounds, and on the expiration of their imprisonment to find security for their good behaviour for six years, and to continue in prison until such security should be given. This sentence was, in effect, one of imprisonment for life, from the inability of the parties to give the required security; but Millington, being threatened with blindness, was released from prison by Governor Shortland; and on the 5th April, 1858, Governor Drysdale, by an exercise of the Royal prerogative of mercy, released Arthur from confinement. This measure, although at the time strongly opposed by the local authorities, was approved of at Downing Street; and Arthur is now a steady and respectable man of his class in the island.

While the right of the parent state to call on the colonists to protect themselves against internal commotions, or the attacks of mere piccaroons, is fully admitted, and while self-defence is insisted on not only as the duty but the privilege

* On the 4th April, 1854.

of all freemen, it would be ridiculous to suppose that from the scanty population of such a dependency as Tobago a force could be organized either sufficient in discipline or numbers to maintain the sovereignty of the island against a national enemy, who might invade it with a large and disciplined force. The present state of things may therefore safely continue so long as England enjoys the blessings of peace; but should she go to war with a maritime power, and would retain her smaller colonies, she must garrison them again. As regards Tobago, by reason of its geographical position—being, with the exception of Barbados, more to windward than any of the other islands, and being the key to Trinidad, with excellent harbours, and a plentiful supply of wood and water—it would be again, as it has been before, coveted as a Transatlantic settlement. The American States, in their early days of independence, projected its conquest. An armament for that purpose was fitted out by the States in the early part of the year 1778; but the squadron, consisting of two ships, three brigs, and a schooner, was met by Captain Vincent, in the *Yarmouth* of sixty-four guns, fifty leagues to windward of Barbados, and, after a short engagement, one of the American vessels, called the *Randolph*, of thirty-six guns and 315 men, blew up, and the rest of the squadron stood different ways and escaped.* Sir William Young says, in his “West India Commonplace Book,”† that “in the year 1782 the late Marquis de Bouille “made a most interesting report to his Government of the “importance of Tobago as a military and naval station, and “which was supposed to have influenced the Court of France “in so earnestly making its acquisition a condition of the then

* 2 South. West Ind., 438-9. † Page 198.

"treaty." Sir William states that he had read this report, which was in print.

The promise, on the part of the Home Government, that a ship of war should be constantly within call of Barbados, for the conveyance of troops to any of the islands in case of necessity, has not been very well kept. In March, 1858, when, in consequence of serious disturbances in Antigua, it was necessary to send troops from Barbados to that island, there was no ship of war within call, and the troops were conveyed in a steam packet, for which the public of Antigua were required by the Home Government to pay three hundred and odd pounds.

On the 27th February, 1854, the government was assumed by Lieutenant-Governor Shortland, whose commission bears date the 7th of that month. Governor Shortland and Major Græme were both promoted from the Presidency of Nevis to the government of Tobago.

It was during the administration of Mr. Shortland that an important change took place in the constitution and government of the colony. What is termed responsible government had for some time existed in the North American provinces appertaining to the British Crown; and it had been, with certain modifications, adopted in Jamaica in 1854, on occasion of the Imperial Parliament having consented to guarantee a loan of half a million sterling to relieve the colony from great financial embarrassment. Previously to the introduction of a responsible government many difficulties and a large measure of evil clogged the wheels of colonial government in the West Indies, and still continue to do so in those colonies where, from an ignorance of the system, it has not been adopted.

The necessity for an organ of government in each of the Legislative Chambers had long been felt. It frequently happened that important measures of legislation were carried through the Council and Assembly to which the assent of the Governor was necessarily withheld, because in some point they clashed with the Royal instructions, or with directions from Downing Street, of which the members of the Legislature were ignorant. In other cases there were found in opposition to a wholesome measure views and opinions of a Governor on some incidental provision which he was not inclined to relinquish, even if in persisting in them he ignored what was useful; and however willing the Legislature might have been to make a reasonable sacrifice to comply with instructions sent to the Governor, or to meet his own views, there were no means by which a bill, having passed both branches of the Legislature, could find its way back to the table of either House for emendation or any other purpose. So that, in order to meet any suggestion from the Executive for amending or altering a bill in any particular, however trifling, it was necessary to reintroduce it and to pass it through all its stages anew. This difficulty was sometimes increased, there being among the standing orders of some of the insular Assemblies a rule by which no measure already disposed of could be introduced again in the same session. Lieutenant-Governor Robinson, in a letter written from St. Kitt's, under date the 15th January, 1857, addressed to the Governor-in-Chief at Antigua, writes thus—"I am informed "that the House of Assembly would not reconsider the question in the present session, as they have repeatedly declined "entertaining the same measure twice in the same session."*

* Blue-Book ; Immigration ; West India Colonies and Mauritius, part 2, p. 150.

Experience had taught all to believe that Committees from the Legislative bodies, to whom public business was referred, were often little better than shelves on which the matters referred were allowed to moulder in undisturbed repose until forgotten. Often has one seen a House of Assembly taken by surprise, and a vote of money carried by a *coup de main*, which never could have succeeded had the claim to the generosity of the House been considered by three or four responsible persons in the quiet of a private conference. The evil of such a practice was briefly but forcibly alluded to by Mr. Jackson in the debate in the Jamaica House of Assembly in November, 1860, on the resignation of the Executive Committee there—“If there is to be no Executive Committee (said he) let us resume the old practice, and make grants of money to our friends.”*

Farther, there is a trite but true adage, that what is the business of all is the business of none. So was it in colonial legislation—the enactment of laws being left to any one who would please to take it in hand was but very indifferently performed; and instead of legislation being a consistent whole, the result of a system, it was an ill-arranged thing, consisting of disjointed fragments, thrown together by various hands. From this arose, as a necessary consequence, a total disarrangement in the revenue and expenditure of the colony; as any one might introduce in the Assembly a motion for a grant of money, or a bill involving expenditure, and by the assistance of friends and partisans, procure the passing of it through the Legislature; so no one could prepare a scheme of finance to meet such unknown outlay. The result was a constant defici-

* Jamaica Parl. Deb., vol. 5, p. 95.

ency in the treasury, and hasty legislation at the moment in attempts to raise a supply.

To remedy the evils and remove the difficulties I have mentioned, it was proposed to authorise the Governor to appoint from the Board of Council and House of Assembly, removable at his pleasure, a certain number of persons having the confidence of the Legislature, who, with him, were to form an Executive or Administrative Committee. In their respective chambers, the members from the Legislature were to be the organs of Government, to propound and explain its measures, to introduce and conduct all legislation, and to take action in all other things necessary for the good government of the country. They were to be the expositors of the views and opinions of Government in all matters that were brought under discussion. To them was to be reserved the exclusive right of indicating all money votes; and they were to perform all the executive duties previously confided to committees from the legislative bodies. They were to assist the Governor in preparing the annual estimates, in levying and disbursing the public moneys, and in the general administration of the finances of the country; and when required, they were to advise and assist him in the administration of the Government. In order to insure to the Legislature the responsibility of the members chosen from their bodies, they were to be their paid servants, with the clear understanding, arising indeed from the very nature of their office, that it was to be held by them only while they continued to be supported by a majority of the House of Assembly.*

* The Col. Pol. of the Admon. of Lord J. Russell, vol 2, p. 266.—7 ib., vol. 1, p. 210-11.

It was considered that if there were an organ of Government in each chamber, whose duty it would be to keep the Governor advised of the measures in progress there; to express in his place the views and opinions of Government; and if any instruction existed bearing on the subject under consideration, to inform the House of it, there would be much difficulty removed; the means and opportunity would be afforded for a wholesome compromise of extreme views; differences between the Executive and the other branches of the Legislature avoided; a medium of communication established, by which the intercourse between them would be facilitated, and public business forwarded. A system, that in the place of effete committees should substitute paid and responsible agents, answerable to the Legislature for the manner in which they should discharge the trust committed to them, could not but be regarded as a desirable change.

To legislate in accordance with a settled system, the result of the same mental purpose, by which various measures would be brought to dovetail with each other and thus form a consistent whole, could not be considered otherwise than as a great improvement on the uncertain, because gratuitous, legislation of many, proceeding from various and often conflicting feelings and opinions.

But among the many benefits which the proposed scheme of Government offered, none could be considered more practically useful than that by which the expenditure and the revenue of the coming year would be ascertained; the one brought within the limits of the other, and improvident grants of money prevented.

It was felt that by making the Representatives of the

Government in the two Chambers, on whom devolved the introduction and support of all Government measures, responsible to the Legislative bodies, particularly to the popular branch, for the measures they should introduce or support, a decided control would be given to the Legislative bodies over the Executive Government; for, if the Committee should persist in any objectionable measure, or should decline to further any object that should be deemed desirable, a vote of want of confidence, or the more extreme measure of determining not to do business with the existing Government, would be followed by a resignation, the result of which would be not only a change of men, but a change of measures; for if the new men should persist in the old measures, then there would only ensue another vote of want of confidence or another refusal to do business; and from this point of view the policy of allowing salaries to be paid from the colonial exchequer to the Members of the Committee chosen from the Legislative bodies is apparent; for as the continuance of such salaries would depend on the continued confidence of the Legislature, the recipients of the salaries would, so far as the influence of such salaries might be supposed to extend, be dependent on the favour of the Legislature.

In addition to the Executive Committee, it was proposed to authorise the Governor to appoint an Advising Council, who should take the place of the Legislative Council while acting in its capacity of a Privy Council, and should advise with him on all measures of government.

The many advantages which the scheme of a responsible Government seemed to promise induced several of the colonies in the West Indies to follow the example of Jamaica and

adopt the system: among others Tobago; and an Act for such purpose was passed on the 9th February, 1855, entitled, "An Act for the better government of this island." I fear, among the Acts of the several islands that have been passed for carrying out this very important measure, some will be found not to have been prepared with that care which the subject demanded; and certainly the Legislature of Tobago cannot claim the merit of having passed a law not open to objection. It will be necessary, in the course of my remarks on this subject, to point out inconsistencies in the Tobago Act calculated to embarrass those on whom it may devolve to carry it into execution.

The 10th clause declares that it shall be lawful for the Governor, and he is thereby required to appoint persons, not exceeding in number two of the Assembly and one of the Legislative Council, as an Executive Committee, removable at pleasure; whereas by the 15th clause it is provided that "the Governor and the Members appointed to the Executive Committee shall form the Executive Committee;" so that, while by the 10th clause it would seem that the Members appointed by the Governor are to form the entire of the Executive Committee, by the 15th clause it is made to consist of the Governor and such Members. Farther, by the 15th clause it is declared that "any three Members thereof (*i.e.* the Executive Committee) appointed by the Governor shall discharge the duties of the Committee of Public Accounts, and form a Board of Audit, or part thereof, and shall also perform the duties of the Committee of the Board of Works." It would by this provision seem that the framers of the Act had forgotten the language used in the 10th clause, by which the

Governor is "required to appoint persons, not exceeding in "number two of the Assembly and one of the Legislative "Council, as an Executive Committee;" for if the Governor were to appoint one Member of Council and one Member of Assembly, as they would not exceed the number prescribed, the appointment would be lawful, and such two Members, together with the Governor, would form an Executive Committee; yet they could not discharge the duties of the Committee of Public Accounts, nor form a Board of Audit, nor perform the duties of the Committee of the Board of Works, all of which are transferred by the 15th clause to three Members appointed by the Governor. This is a strange inconsistency to be found in so important a statute. And in passing to the 17th clause the myth increases; for by that clause all and every the powers and authorities vested in or held, used, exercised, or enjoyed by the Committee of Public Accounts, or a quorum, or any member thereof, are vested in and are to be held, used, exercised, and enjoyed by the Executive Committee to be appointed under that Act; and as—as has been shown—the Executive Committee to be appointed under that Act may consist of the Governor and a Member of Council and a Member of Assembly appointed by him, it is apparent that while the *duties* which were performed by the Committee of Public Accounts are now to be discharged by three Members of the Executive Committee appointed by the Governor, under the 15th clause of the Act, *the powers and authorities* which were vested in the Committee of Public Accounts, and by which those duties in certain cases are to be performed, may now, by the 17th clause, be exercised by the Governor and a Member of Council and a Member of Assem-

bly appointed by him. True it is that all difficulty in this respect may be avoided by the appointment of one Member from the Council and two from the Assembly to form the Executive Committee, as heretofore has been done; but with an Assembly chosen from a very limited constituency, where talent cannot be supposed to be "as plenty as blackberries," it may be convenient that the Executive should be at liberty to act with two instead of three Members of the Legislature.

It is enacted by the 18th clause of the Act for the better government of this island, now under consideration, that all and every the powers and authorities vested in, or held, used, exercised, or enjoyed by the Loan Commissioners, shall be vested in the Executive Committee to be *appointed under that Act*, and such Committee is thereby charged with all and every the duties which before devolved upon the Loan Commissioners.

I have before adverted to the sound policy of the initiation of money grants being confined to the Executive Government. Strange to say no such provision is to be found in the Tobago Act; but it was left to be provided for by a rule of the House of Assembly. Such a rule was to be found on the journals of the House for eight successive sessions; but, as might have been expected, from its not being embodied in the Legislative enactment, the principle was not of lasting continuance, and on the 27th March, 1863, it was moved in the House of Assembly, and carried without a division, that that rule should be expunged. So that, thanks to the present system of representative government in this very limited community, one of the most useful parts of the scheme of a responsible

government, as lately introduced into the West Indies, has been repudiated in Tobago. It would be difficult to discover the patriotism in which the abandonment of so effectual a safeguard against individual interest could originate.

I have spoken of the Executive Committee as forming a responsible government; and I believe it does so both morally and in a pecuniary point of view. Morally, in this—that when the Members of the Executive Committee chosen from the Legislature cease to enjoy the confidence of the popular branch they must cease to hold office; and in a pecuniary point of view, in this—that together with office must cease the salary attached to it. This responsibility has been well considered on many occasions; but I know no exposition of it on which I would more entirely rely than on that contained in the minute of Sir Charles Henry Darling, when Governor of Jamaica, dated the 18th September, 1860, written for the consideration of the Executive Committee there, on occasion of some difference in opinion on their respective responsibilities. The following is an extract from the fifth paragraph of that minute:—"A ministry need not necessarily retire from office if their defeat be merely upon an unimportant point upon which no cardinal question or policy depends; if their defeat be accomplished by a chance majority at any particular meeting of the Assembly which did not in fact constitute a majority of the House; if it were sustained at the hands of a majority, the component sections of which had united to overthrow the measure, not upon one common ground of objection, but for varying, and, as sometimes happens in themselves, conflicting reasons; or, (and this, although perhaps the most delicate and difficult phase of the question

“which can be presented, is one in respect to which I believe
“no doubt is in our time entertained) when there is good
“reason to believe that although the ministers sustain frequent
“defeats by a majority, that majority possesses no principles
“which could give it a coherent policy, nor contains within
“its ranks members capable of leading and directing the
“deliberations of the representative body, and of carrying
“through it those measures which good government and the
“interests of the country would require. This last difficulty
“is of course most properly and constitutionally settled by an
“appeal to the constituency; but the expediency of resorting
“to that method of solving it must necessarily depend upon
“considerations involving the extent and character of the
“electoral bodies to be appealed to, and other points which
“need not here be discussed.”* In a dispatch from the
Duke of Newcastle to Governor Darling, on the subject of the
minute whence the foregoing extract is taken, his Grace,
speaking with reference to the Executive Committee, says—
“Their direct and official responsibility is to the Governor,
“but they are responsible to the Legislature in this sense, that
“if the Governor shall be convinced that they are unable to
“obtain the support of the Legislature, either generally, or in
“some one or more measures of vital importance, and that
“other men can be found who could obtain that support, it
“would be the duty of the Governor to call for their resigna-
“tions. The Governor, no doubt, would be more slow to
“admit this conviction in cases in which the confidence of the
“Legislature might have been lost by causes against which
“their opinions might have been expressed in committee, but

* Jamaica Parl. Deb., vol. 5, p. 17.

"it would nevertheless be incumbent upon him to take care
"that the purposes for which the committee was created
"should not be left unaccomplished."* We have a farther
communication on this subject from the Duke of Newcastle,
in a dispatch addressed to Governor Hamilton of Antigua,
under date the 7th December, 1860. I shall avail myself of
extracts from it:—"I have had under my consideration your
"dispatch, Antigua, No. 99, of the 6th September, explaining
"the minute of Council of the 19th June, which professes to
"set forth an exposition of the system of Government provided
"by the new Constitution Act.

"2. According to that minute, what has been done is to
"assign to the Executive Council the duty of advising the
"Governor, and to the Administrative Committee the duty of
"carrying 'into execution the resolutions decided upon by the
"Governor in the Executive Council.' And it is further
"determined that 'the Executive Council being a removable
"body, it is understood that the Councillors, when not pos-
"sessing the confidence of the Legislative bodies, will tender
"their resignations to the Governor.'

"3. I cannot admit that this system is, as it professes to
"be, 'derived from the Act,' and 'from the instructions to the
"Governor.'

"4. By the Act the Members of the Administrative Com-
"mittee, and not the Members of the Executive Council, are
"to be the organs of the Government in the Legislature, and
"the initiators of money votes, and it is not to be supposed
"that it was the intention of the framers of the Act or of the
"Legislature to run counter to the plain policy adopted in

* Jamaica Parl. Deb., vol. 5, p. 514.

“every other colony in which analogous Acts have been passed, and divorce these principal administrative functions from that of principal advisers to the Governor, or to exclude from the foremost part in devising Legislative measures the persons who, by Legislative enactment, are to be charged with the conduct of those measures in the Legislative bodies.

“8. And I must especially withhold my authority from the understanding which the minute records that the Members, not of the Administrative Committee, but of the Executive Council, are to tender their resignations when not possessing the confidence of the Legislative bodies. I should regard it as highly objectionable that the Executive Council should be a body removable by a vote of the Legislature, whilst even as regards the Executive Committee it is desirable that frequent changes should be as far as possible avoided, and that its Members should not consider it necessary to resign their posts when defeated upon a particular question, provided they shall be able to carry on the business of the Government in the Legislature with a fair measure of success.”

As farther illustrating the nature of the Government I have been considering, and in conclusion of the information I have been able to obtain on this branch of the subject, I shall give extracts from Earl Grey's dispatch to Sir John Harvey, the Lieutenant-Governor of Nova-Scotia, of the 3d November, 1846:—“I have, therefore, to instruct you to abstain from changing your Executive Council until it shall become perfectly clear that they are unable, with such fair support from yourself as they have a right to expect, to carry on the

"Government of the province satisfactorily, and command the
"confidence of the Legislature.

"A refusal to accept advice tendered to you by your Council
"is a legitimate ground for its members to tender to you their
"resignation—a course they would doubtless adopt, should
"they feel that the subject on which a difference had
"arisen was one upon which public opinion would be in their
"favour. Should it prove to be so, concession to their views
"must prove sooner or later inevitable, since it cannot be too
"distinctly acknowledged, that it is neither possible nor de-
"sirable to carry on the Government of any of the British
"Provinces in North America in opposition to the opinion
"of the inhabitants.

"Clearly understanding, therefore, that refusing to accede
"to the advice of your Council for the time being, upon a
"point on which they feel it their duty to insist, must lead to
"the question at issue being brought ultimately under the
"decision of public opinion, you will carefully avoid allowing
"any matter not of very grave concern, or upon which you
"cannot reasonably calculate upon being in the end supported
"by that opinion, to be made the subject of such a difference.
"And if, unfortunately, such a difference should arise, you
"will take equal care that its cause, and the grounds of your
"own decision, are made clearly to appear in written docu-
"ments capable of being publicly quoted.

"The adoption of this principle of action by no means in-
"volves the necessity of a blind obedience to the wishes and
"opinions of the members of your Council; on the contrary, I
"have no doubt that if they see clearly that your conduct is
"guided not by personal favour to any particular men or

“party, but by a sincere desire to promote the public good, your objections to any measures proposed will have great weight with the Council, or should they prove unreasonable with the Assembly, or in the last resort with the public.”*

On one occasion, in Tobago, the Council passed a vote of want of confidence in the Executive Committee; but as the Committee was supported by a vote of approval in the Assembly, Governor Drysdale declined to accept the resignation of the Members appointed by him. On another occasion, however, on a vote of want of confidence being passed by the Assembly, the resignation of the Members from the Legislative Chambers was accepted by Governor Drysdale, and in both instances his conduct was approved of at the Colonial Office.

This responsibility on the part of the Members of Government chosen from the Legislature in no wise relieves the Governor from his responsibilities to the Crown. No one ever thought that the change I have been considering could introduce into a Colonial Government the maxim, that the Governor can do no wrong; or the principle, that Ministers are alone answerable for the acts of the Executive. On the contrary, by the 12th section of the Act for the better Government of the island, it is expressly declared that the Governor shall be responsible for the discharge of the Executive Government as theretofore. And in the same dispatch from the Duke of Newcastle to Governor Darling, that I have before quoted from, his Grace writes thus:—“I must regard the Governor, therefore, as in no degree relieved from responsibility by the co-operation or advice of the Executive Committee. The Governor is not justified in adopting

* The Col. Pol. of the Admon. of Lord J. Russell, vol. 1, p. 210, *et seq.*

"any measures proposed in Executive Committee which he shall not himself conceive to be conducive to the public welfare. On a question whether a measure good in itself can be carried through the Legislature, or whether a bad measure could be successfully resisted there, and generally on a question as to the best course for a Governor to pursue with a view to maintaining such relations with the Legislature as shall best promote the public welfare, the Governor will naturally be disposed to defer to the opinion of the Committee, as founded on the best information. Even as to these, however, his authority is paramount, and it is possible that on some occasions he may be called upon to take a course opposed to the views of the Committee, leaving them the alternative of retiring from office, should they feel it their duty to decline co-operation in such a course.

"But the responsibility of the Governor, reserved and declared by the Act, is a responsibility to the Crown alone."*

Government, by means of an Executive Committee, has been termed party Government; but this term, I venture to think, is in no wise applicable to the responsible Government which, within the last eight years, has been introduced into some of our West India colonies. Party Government is the indigenous production of the political soil of Great Britain. It was unknown in its present shape and influence until the corrupt administration of Sir Robert Walpole; for although Whig and Tory had been known long before, yet Government was not administered wholly by members of either party; and William III. made choice of his servants as much from the one side as the other. But these servants were not his guides;

* Jamaica Parl. Deb., vol. 5, p. 513-14.

he entered into the partition treaty without consulting his cabinet; "nor could any minister, except the Earl of Portland and Lord Somers, be proved to have had a concern in the transaction; for although the House impeached Lord Oxford and Lord Halifax, they were not, in fact, any farther parties to it than by being in the secret, and the former had shown his usual intractability by objecting to the whole measure."* The cabinet of that day bore but a faint resemblance to the ministry now known to the British Constitution. The Ministry of the present time is identical with party Government:—"The Government, cannot be carried on with us for any length of time unless the Ministers of the day have the support of a decided majority in both Houses of Parliament."† The British Ministry as it now exists has been well described by Macaulay:—"Happily (says he) a way has been found out in which the House of Commons can exercise a paramount influence over the Executive Government without assuming functions such as can never be well discharged by a body so numerous and so variously composed. An institution which did not exist in the times of the Plantagenets, of the Tudors, or of the Stuarts, an institution not known to the law, an institution not mentioned in any statute, an institution of which such writers as De Lome and Blackstone take no notice, began to exist a few years after the Revolution, grew rapidly into importance, became finally established, and is now almost as essential a part of our policy as the Parliament itself. This institution is the Ministry."‡ But our Execu-

* 3 Hall. Const. Hist., 253.

† The Brit. Const., by Lord Brougham, p. 279.

‡ Macaulay's Hist. of England, vol. 4, p. 393.

tive Committee bears little resemblance to the British Ministry, farther than this, that, like the Ministry, the Executive Committee gives to the popular branch of the Legislature an "influence over the Executive Government," but not by means of a party. There is not the material in any West India community to form either a Ministerial party or a healthy Opposition. We may find, upon some stirring occasion, certain members of a Colonial Assembly joining together to carry a measure they may deem essential to the public welfare, or to oppose what they may consider injurious; but in the detail we shall hardly find them acting in concert. Every man has his own opinion, and he will not relinquish it to adopt that of any party. His feelings of individual independence are much too strong for this; and his daily occupations are such as to preclude him from devoting the necessary time and thought to the organization of a party, or the conduct of party measures. Further, the British Ministry has in its wide command of patronage a means of creating and influencing a party which is denied to the Executive Committee here, it being declared by the 12th clause of the Act for the better Government of this island, that the Executive Committee shall not dispense the patronage of the Crown.

While I am convinced that a responsible Government, carried on by an Executive Committee, is a great improvement on the old system of Colonial Government, I have yet no doubt that the change to be desired is the merging of the Council and Assembly into one Chamber, to consist of about nine members—five of whom might be elected by the freeholders of the island, and four appointed by the Crown. The complicated machinery of two Houses is ill suited to the con-

dition of a small dependency such as Tobago. We have not the matter whence to furnish sixteen members of the House of Assembly and seven members of the Board of Council, qualified for legislative action; whereas, nine efficient men might be found who, sitting together, would well and quickly dispose of public business, while the members, being reduced in number, would, it may be supposed, be more select, and be better fitted for the duties of legislation.

On the passing of the Act for the better government of the island, a new commission was issued to Mr. Hincks, then Governor-in-Chief of the Windward Islands, revoking his former commission so far as it applied to the island of Tobago. By this commission, which bears date the 21st November, 1855, Mr. Hincks was appointed Governor and Commander-in-Chief in and over the island of Tobago. It recites the passing of the Act for the better government of the island; the powers by that Act conferred on the Crown of appointing and removing members of the Privy Council and of the Legislative Council; and declares the Royal will and pleasure to be that there should be an Advising Council of the Governor, to be called the Privy Council, to consist of seven persons, named in the Royal instructions, or to be appointed by warrant, under the sign manual, who were to hold office during pleasure. And the Governor was authorised to appoint, by a written instrument under the public seal, any one of such Councillors to preside over the Privy Council in his absence, and to remove the person so appointed, and to substitute another in his place. In the absence of the President so to be appointed, the senior Member of the Council actually present was to preside. The seniority of the Members of Council

was to be regulated according to the order of their appointment. All the powers and authorities which the Governor formerly exercised with the advice of his Council were to be exercised under the advice of the Privy Council thus established. By this Commission, the Governor was empowered to fill up any vacancies that might occur in the Legislative Council, and to appoint a President thereto, as he was authorised to do with respect to the Privy Council. In the absence of the Governor-in-Chief from Tobago, all the powers and authorities given by the Commission to him were vested in the Lieutenant-Governor; and in his absence, in the Administrator of the Government to be appointed by warrant under the sign manual; and failing such officer, the Government devolved on the senior Member of the Privy Council, not being the Bishop of the Diocese, the Chief-Justice, or a clergyman of the Church of England; all of whom were excluded from the Administration of the Government, which was to pass by them to the Member of the Privy Council next in seniority.

By a further Commission to Governor Hincks, dated the 2d December, 1857, the limitation of the number of Privy Councillors to seven was revoked, and it was declared that the Privy Council should consist of such persons as had already been duly appointed, or such other persons as the Crown might from time to time name and designate, or empower the Governor to appoint.

The Honourable James Henry Keens was the first person appointed as President of the Privy Council, by Commission bearing date the 8th May, 1856; and by Commission bearing date the 15th March in the same year, the then Chief-Justice,

the Honourable Edward Dyer Sanderson, was appointed President of the Legislative Council.

On the appointment of Governor Walker to the command of the Windward Islands, one general commission over all the islands was given to him, with similar provisions as regards Tobago to that held by Governor Hincks, with this exception, that in the commission to Governor Walker nothing is said in respect to the appointment of a President to either the Privy or Legislative Council; but in the Royal instructions to Governor Walker, which accompanied his commission, he is authorised to appoint a President of the Privy Council, in the manner and with the attendant authorities mentioned and conferred in Governor Hincks' commission; but the instructions are altogether silent as to the appointment of a President to the Legislative Council, so that no such authority can now be said to be vested in the Governor. Governor Walker's commission, to which I have referred, bears date the 9th December, 1861.

During the administration of Lieutenant-Governor Shortland the public suffered much from the embarrassment of the colonial exchequer, owing in a great measure to differences between the Lieutenant-Governor and the Assembly, which might well have been avoided by both, and were not very creditable to either. In these disputes no grave principle was involved, and it may be truly said of them, that the play was not worth the candle light; but to such an extent had the disorganization of the Government proceeded, that on the 31st of March, 1856, the balance against the public was estimated at £7164, 9s., independently of the Hurricane Loan, while the general revenue at the time may be considered as having

ranged from £10,000 to £12,000 per annum. It will be found, by reference to the sixth clause of the Act of the island for regulating the conduct of the public treasurer, passed on the 5th February, 1855, that in cases in which there shall be mutual accounts between any person and the public treasury, nothing therein contained shall be construed to require a warrant to enable the treasurer to allow such person any set-off to which he may justly be entitled. Notwithstanding this enactment, Mr. Shortland issued an order to the treasurer, prohibiting his taking in payment for taxes any warrant held for the payment of a debt due by the public. This illegal repudiation of the public obligations only served to increase the difficulty, and not only injured the servants and immediate creditors of the public, but those with whom they were connected in dealings of business. This led to placards being stuck up about the town by the merchants and shopkeepers, intimating that no credit would be given to public officers. As a means to relieve this pressure an Act was passed on the 25th March, 1856, to authorise the issue of treasury bills, and to provide for their redemption. These bills were to be issued to the holders of warrants for the payment of money from the treasury; they were to bear an interest of six per cent.; were redeemable in four years; were not to exceed in the whole amount the sum of £3000; and were made a legal payment in satisfaction of any debts, duties, rates, or taxes payable to the Crown. The measure answered the purposes intended; the bills were readily negotiated by their holders; and by the 31st October, 1859, fifteen months prior to the expiration of the period for which they were originally issued, during the administration of Lieutenant-Governor Drysdale, they were

all redeemed, effecting thereby a considerable saving in the payment of interest. The first Executive Committee was appointed by Mr. Shortland in September, 1855; and if any thing were required to establish the advantages of a responsible government, it would be found in the great change for the better in public affairs that ensued on the working of the new system. We find public business no longer impeded by disputes between the Executive and the popular branch of the Legislature; and the public debt due in June, 1856, not including the sum of £2524, 0s. 1d. absorbed in treasury bills, was estimated at £2055, 2s. 11d., while the public faith with the Home Government had been kept by the payment of the instalment of principal and interest that had become due on the Hurricane Loan. Governor Drysdale, in his inaugural address to the Council and Assembly on the 30th July, 1857, truly said that he had reason to believe that the system of responsible government had been eminently successful as a means of ensuring that unity and concord which it is so desirable should at all times exist between the Executive and the Legislature.

Governor Shortland left the island on leave on the 10th July, 1856, on which day the Honourable James Kirk, as Senior Member of the Privy Council, took the oaths of office and assumed the government. It will be recollected, that by the terms of the commission held by the Governor-in-Chief, the government devolved on the Senior Member of the Privy Council, in the absence of the Governor and Lieutenant-Governor—no one being appointed as Administrator—therefore it was, that on the departure of Lieutenant-Governor Shortland the command devolved on Mr. Kirk, he being the

Senior Member of the Privy Council, and not on Mr. Keens, as its President, who was in fact Mr. Kirk's junior at the board; but the administration of the latter gentleman terminated within the month. Mr. Keens received a warrant, under her Majesty's sign manual, dated the 18th June, 1856, appointing him Administrator of the government, and was sworn in Council as such on the 9th August following. Mr. Shortland not having returned to the island, the Government was administered by Mr. Keens until the arrival of his Excellency, James Vickery Drysdale, on the 8th June, 1857, who had been appointed Lieutenant-Governor by her Majesty's Commission, bearing date the first day of April in that year. At the same time, her Majesty was pleased to appoint the present Governor-in-Chief of the Windward Islands, his Excellency James Walker (then Colonial Secretary of Barbados) Administrator of the Government of Tobago; but this appointment was not known in the island, nor was the warrant by which it was made recorded here until the 17th April, 1860, although, in the meantime, during the temporary absence of Governor Drysdale, from December, 1859, to January, 1860, on a visit to St. Lucia, the Government was administered by Mr. Keens under the warrant held by him. Had any question arisen as to the legality of any act of Mr. Keens in the Administration of the Government at this time, its solution might have been found difficult, and perhaps embarrassing. One has heard of a dormant Commission, but it has never been known that while one person has held a dormant Commission another has acted in the office granted by such Commission. It is farther to be observed, that by the warrant to Mr. Walker that to Mr. Keens was formally revoked.

Although Governor Drysdale found the revenue in an improving state,* yet it required some energy on the part of the Executive Government to keep up the progress of improvement. The last session of the Legislature had expired without any provision being made in aid of the revenue for the year, and it was therefore the first care of the Lieutenant-Governor, on his entering into office, to convoke a special session for the purpose of raising the necessary supplies. His Excellency, in his address to the Assembly on the opening of the session,† strongly urged the expediency of providing in advance for the annual public expenditure, and pressed on the consideration of the House the imprudence of incurring a debt before provision had been made for its liquidation; and he submitted whether the Supply Bill, instead of being annual as theretofore, might not be made of a more permanent nature, with advantage to the public service. These suggestions have, to a certain extent, been carried out by the Legislature with the most beneficial results.

While the colony was under the rule of Governor Shortland, an Act was passed ‡ to convert the military prison and cells at Fort King George into a convict prison; and Mr. Keens, while he administered the government, sought to render the buildings at the Fort more available for the public service by converting the military hospital there into a common gaol,§ by which accommodation might be provided for all classes of prisoners under one establishment. But it was

* See the Report of the Executive Committee, laid before the Assembly on the 27th October, 1857.

† 28th July, 1857.

‡ 25th March, 1856.

§ Addresses to the Legislature, 9th September, 1856, and 10th March, 1857.

reserved for Mr. Drysdale's Government to mature this very excellent arrangement, by which all persons suffering imprisonment were removed from the confined and unhealthy prison at Scarborough to the airy and capacious buildings at Fort King George, where classification, so necessary to discipline and good order, could be well perfected, and imprisonment be rendered a punishment.* The prisoners were also indebted to Governor Drysdale in providing them with the means of religious consolation: under his management a chaplain of the jail was for the first time appointed, and this pastoral care is still afforded the inmates of the prison, indeed it may be considered permanent.

There were other very important measures which were brought under the notice of the Legislature by Mr. Drysdale's predecessors, and which remained for him to perfect. An Encumbered Estates Act was passed during Mr. Shortland's Administration, but it was disallowed by the Crown; and another Act on the same subject was passed on the 13th January, 1858, and received the sanction of Government.

The passing of an Act to amend the representation of the people, by extending the elective franchise, was on more than one occasion warmly pressed by Mr. Keens, during his administration of the government, on the attention of the Legislature. On opening the session of the 10th March, 1857, he thus expressed himself:—"The Act by which the elective franchise is at present limited is a relic of the time of slavery, which a free people must long have desired to expunge from their statute-book. It cannot be referred to for the purpose

* Act of the 13th January, 1858, to amend an Act entitled "An Act to Convert the Military Prison and Cells at Fort King George into a Gaol."

“of settling a contested vote without reviving feelings which ought not to exist in a community from which all distinctions of colour and race have long since been practically abolished. The very title of it must be offensive, suggesting, as it does, that the exercise of the franchise is a privilege conceded for the relief of certain classes, instead of a right, co-relative with the possession of property and the duties of citizenship; and in practice the Act excludes the majority of those who directly contribute to the revenue, and thus violates the principles of the English Constitution, which regards the supplies as gifts from the people, voted by their representatives. The whole number of votes on the books of the returning officer is only 102, of whom only 70 are freeholders, or persons qualified to vote in right of their own properties, whilst the whole number of persons who might be assessed on the valuation rolls to pay taxes upon their freeholds appears to be 2580. This cannot be regarded as a fair representation of those on whom the burthen of taxation falls, and public policy demands that a burthen, which is always felt so irksome, should be lightened as much as possible, by giving the people the credit of bearing it of their own free will.” But it was not until 1860* that an efficient measure to “extend the franchise, and otherwise provide for the better representation of the people,” was perfected. Another very important measure, which had been long under the consideration of the Legislature, was not carried into effect until the Administration of Governor Drysdale. I allude to placing the Superior Courts of Tobago within the range of the Circuit Appeal Courts. This Court is composed of all the Chief Jus-

* 8th June.

tices in the Windward Islands Government; but any three of whom are sufficient to form a quorum. It was originally proposed that the Judges should go the circuit of all the islands in the government twice a year; but, from a proper regard to economy, by a late arrangement they only visit the island where an appeal has arisen. The Tobago Appeal Court Act was passed on the 28th April, 1858. I know no colonial institution more calculated to produce good than this Appeal Court. It answers the great purpose of creating a confidence in the administration of justice. Every suitor feels that if the resident judge should mistake his case, he has an opportunity afforded him of having it re-heard near his own door by able and experienced lawyers, who, not residing in the island where the case has arisen, cannot be supposed to be influenced by any local interest or feeling; while the resident judge has the satisfaction to know that if he be wrong his error will be rectified, and if he be right his judgment will stand confirmed before the little world in which he moves. There has been as yet no appeal from any court in the Windward Islands save from the Royal Court of St. Lucia, from which appeals are continually depending. This may in some measure arise from the conflict of the laws in force there, and it may also in some measure arise from a litigious spirit.

During Mr. Drysdale's command* it became necessary for him to exercise the authority he then possessed of removing the President of the Legislative Council, and appointing another in his place. The circumstances that led to this grew out of a matter so trifling as not to be worthy of notice here, but the result was that the Honourable Edward Dyer Sander-

* In February, 1859.

son, who had presided over the Council for eighteen years—first in his capacity as Chief-Justice, and afterwards by virtue of the commission already noticed, having become the avowed “political antagonist of the local Government”—the Governor was compelled to remove him from a position of influence, where his opposition might have proved a serious obstacle to the progress of public business. It is hardly necessary to observe that the measure met with unqualified approval at the Colonial Office. The Honourable Walter Douglas was appointed to the vacant Presidency, in place of Judge Sander-son. I may be permitted to remark, in passing, that much of the usefulness, in his proper sphere, of a Judge in a small colony, particularly a sole Judge, is neutralized by his taking a part in the politics of the place. If he be actively engaged as a legislator, he will be sure, in the limited circle in which he moves, to come in contact with some individual interest that stands in the way of the best measure he may originate or support; and he is likely to be involved in those controversies which belong to public Assemblies drawn from a very small community, in which Assemblies persons will be found who have not been well trained in the decencies of debate. Out of such things asperities grow which are injurious to the judicial status.

Even a casual observer cannot fail to remark the policy which has for many years governed the Mother Country with respect to her colonies, in withdrawing from them the go-cart, and leaving them in a great measure to self-government. There can be no doubt that this policy is wise; and if carried out by colonial Governors faithfully and in its integrity, must prove beneficial. It was in this spirit that the authorities

in the colonies were informed, in the latter part of the year 1859, that the time had arrived for the Postmaster-General to abandon the control over the Colonial Post-offices, and to surrender the same to the respective local Governments. In carrying out this measure it was required by the Imperial Government that no rate of postage should be imposed by the local post authorities on Transatlantic correspondence in excess of the sixpence per half-ounce, charged by the Imperial Post-office department, one penny of which was to be returned to the colony; one penny was to be taken as the Imperial inland rate; and fourpence as the Atlantic rate. To carry out in Tobago the change proposed an Act was passed by the Legislature of the island on the 23d April, 1860, by which it is declared that the authority, powers, and control theretofore exercised by the Imperial Post-office department in Tobago should be transferred to and vested in the Executive Government of the island. And by this Act is imposed a rate payable to the colony of one penny on all letters arriving or posted in Tobago, other than letters from, or passing through, or for transmission to, or through, the United Kingdom, not exceeding half-an-ounce in weight; and proportionate rates of postage are charged on letters exceeding such weight. In addition to this impost, the letters so taxed are subject to a farther postage of fourpence per half-ounce, imposed by, and payable to, the Imperial Post-office department. Under this Act the Postmaster here receives the whole of the portion of the postal revenue that accrues to the colony; and it is required of him that he shall provide his own office and clerical assistance, so that, if not remunerative to the colony, the establishment is at least self-supporting. Since the postal arrangement

just noticed the Imperial Post-office has doubled the rate of postage on Transatlantic letters, but the participation of the colony in the tax remains limited to one penny: it would have been but fair to have adhered to the proportion first established, and to have allowed the colony one-sixth of the increased rate of postage.

By another Act of the island, passed on the 1st May, 1861, the Governor is authorised to enter into an agreement with the proper authorities in any other British colony, by which the postage on all letters sent by the post from this island to such other colony, chargeable by the Post-office of the colony to which the same shall be sent, as well as the postage chargeable by the Post-office of this island, shall be prepaid in one sum; and the Postmaster here is to account for and pay over to the Post-office authorities of such other colony the amount of the postage to which such colony is entitled. Such agreements have been entered into by the Governor here with the colonies of Barbados, Demerara, Grenada, Jamaica, Honduras, St. Lucia, and Trinidad. But in these agreements it has been found convenient to depart from the letter of the law. The amount of postage received here, to which the colonies with which agreements have been entered into are entitled, have been found to be so much on an equality with the sums received by such colonies to which the Post-office here is entitled, that the several amounts have been adjusted by setting-off respectively one amount against the other.

However objectionable it may be, as a principle of general application, that a plurality of offices should unite in one person, yet in a limited community with small means it will be found advisable to give more than one office to a competent

person. The remuneration derived from an office of the highest trust and importance may be so trifling as to render the office not worth the acceptance of a gentleman qualified by education and character to fill it; whereas, by adding to such office another compatible place, the emoluments of both combined will procure the services of a good man; therefore it is that we find the present Provost-Marshal of Tobago holding the appointment of Postmaster with advantage to the public service.

In consequence of ill-health, Lieutenant-Governor Drysdale was obliged to visit England on leave. He embarked on the 23d May, 1860, and the next day Edwin Donald Baynes, Esq., who had held the office of Colonial Secretary in Montserrat, and who had been appointed by her Majesty's warrant to administer the government during the absence of Mr. Drysdale, took the oaths as Administrator, and assumed the duties of office.

Although, as has been seen, a shipment of re-captured Africans was received here in 1851, and in 1858 Tobago was included in the list of colonies that were to receive a portion of the liberated Africans, certain it is that if subsequently to the latter period the name of the island had not been removed from such list, yet from 1851 to 1862 Tobago did not participate in the benefits of this immigration. This may be attributable to the financial embarrassments in the colonial treasury, to which I have already alluded in speaking of Mr. Shortland's Administration, and to the unfortunate differences between himself and the Assembly. However this may be, it became a subject of anxious solicitude with Governor Drysdale to place Tobago once more on the

footing of a favoured colony in respect to immigration from Sierra Leone and St. Helena ; and previously to his leaving for England in 1860, he had pressed the subject on the attention of the Home Government with much force and earnestness. The Lieutenant-Governor urged the claims of Tobago on the following grounds:—

1st. The small proportion of liberated Africans allotted to the island in 1851, when compared with the supply afforded other colonies.

2d. The ample, and, comparatively speaking, greater means provided in this island for the instruction and religious teaching of the African immigrants.

3d. The pre-eminent success which had attended the immigration of 1851.

4th. The fact that Tobago had not the advantage of the aid afforded to the sister colonies of St. Lucia and Grenada by an Imperial Guaranteed Loan for promoting Coolie immigration.

It was, therefore, with much and well-deserved gratification that Governor Drysdale learned, on re-urging the subject at the Colonial Office on his arrival in England, that Tobago had been placed on the list of colonies among which liberated Africans were to be distributed, and that information to this effect had been sent out to the island.

On the receipt of a dispatch from the Governor-in-Chief conveying this gratifying intelligence, Mr. Baynes convened a special session of the Legislature; and in his address on its

* 11th September, 1860.

opening,* he informed the Houses that a supply of liberated Africans might in a short time be expected to arrive in the colony. It was in anticipation of this promised supply that the Act of the 15th May, 1861, entitled "An Act to Amend "and Consolidate the Laws Regulating and Making Provision "for the Treatment of Liberated African Immigrants," and which, I have already noticed, was passed.

In the latter end of 1850 her Majesty's Government intimated to the Colonial Governors in the West Indies that no farther vacancies which might occur among the Stipendiary Magistrates would be filled up; and, in consequence of this determination, there was only one surviving officer of that class in Tobago at the time the information alluded to was received. By the system adopted for the protection of immigrants in Tobago, the Stipendiary Magistrates were constituted the protectors of all immigrants in their respective districts. The island was, as we have seen, divided into three districts as cures—the same division obtained for secular purposes—to each of which a Stipendiary Magistrate was appointed, and, in consequence of only one of the Stipendiary Magistrates appointed and paid by the Home Government (as has been stated) remaining on the island, it became necessary to pass an Act for the appointment and pay of two others at the cost of the colony. This was done by an Act passed on the 1st of October, 1860, and a salary of £200 per annum was allowed to each. The death of this only remaining magistrate* occurring on the 20th October, 1861, rendered farther legislation on this subject necessary, and an Act was passed to repeal

* William A. Child, Esq.

the law of 1860,* and to appoint three Stipendiary Magistrates, at a like salary of £200 per annum each.

The inhabitants of Tobago would have been wanting to themselves had they not duly appreciated Governor Drysdale's exertions for the welfare of the colony; and he was therefore greeted with a hearty welcome on his return to the island on the 26th December, 1860, in renewed health. His Excellency resumed, with his wonted energy, the discharge of his executive functions.

In April, 1861, a census of the island was taken, and the number of the inhabitants was found to amount to 15,410, showing an increase, when compared with the last census, taken in June, 1851, of 1032—the number of inhabitants, according to the census of 1851, being at that time 14,378. This increase, happily, can only be attributed to natural causes. The importation of African immigrants in 1851 took place before the census of that year was taken; and the arrival of the last shipment occurred twelve months after the census of 1861. This is the best evidence that can be produced of increasing prosperity. A census was taken in 1844, which showed the number of inhabitants to be 13,308, so that there would appear to have been from that time to 1851 an increase in the population of 1170 persons; but of this 292 were the Africans imported in 1851. I am not, however, inclined to place implicit confidence in the census of 1844; for I find at the time of taking it there were 3812 houses returned as inhabited, which would give about $3\frac{1}{3}$ persons to each house. This appears to me to be too small a proportion to be correct, particularly when we take into consideration the habit

* Passed 24th December, 1861.

of herding together which characterises the West Indian peasantry in all places where I have seen them. I now find it necessary to close this Chapter, for I have in the foregoing narrative so nearly approached the present time that I may not go farther without passing from the province of history.

CHAPTER VI.

GEOGRAPHICAL SITUATION OF THE ISLAND—ITS ASPECTS—CONSTITUTION—
COURTS—LAWS—ABSENCE OF LITIGATION—OF CRIME—OF IDLENESS—
EDUCATION—PRISON DISCIPLINE—POLICE—RELIGIOUS ESTABLISHMENTS—
—THE VEGETABLE KINGDOM—CANE CULTIVATION—METAYER SYSTEM—
PROGRESS OF THE COLONY—ANIMALS—BIRDS—FISHES—INSECTS, &c.—
CLIMATE—SOCIETY—JOHN PAUL JONES.

TOBAGO lies more to windward than any other of the Antilles, excepting Barbados, and more to the southward than any other but Trinidad. It is situated in latitude N. $11^{\circ} 0'$, and in longitude W. from Greenwich $60^{\circ} 46'$. The island is 32 miles long, and from six to nine broad, containing 63,763 acres of land. Taking a line drawn through its centre longitudinally, as an index of its bearing, it expands nearly N.E. and and S.W. There are two towns in it; Scarborough, the chief town, already mentioned; it is on the south side of the island, about ten miles from the S.W. point, and twenty-two from the N.E. extremity; and Plymouth, on the north side. This is a very poor place, and its only importance is in its harbour, Great Courland Bay, being, much to the inconvenience of the inhabitants, the place of resort of the Royal Mail Steam Company's vessels, and its shores being the landing place for the mails, which, by a late extortion, are carried at the expense of the colony to Scarborough, a distance of about five miles, with a stream to pass, which, when swollen from heavy rain, cannot be forded, and the mails and passengers are consequently detained until the waters subside. But in the

absence of anything like competition the Mail Steam Company are despotic in the West Indies, and a mail steamer has often anchored, not at Plymouth, but at Little Courland Bay, about three miles distant from it, exposing passengers to further discomforts and annoyance. I have before spoken of the old capital, George Town. It also appears that there was another place at the south-west end of the island allotted as a town, and in some measure settled as such, called Millford, but at this time it forms a property in the possession of the heirs or devisees of the late Mr. President Yeates. Approaching the island on its N.E. point, it is seen to rise in lofty hills, appearing "as a natural bluff-head and southern promontory of the vast bay which indents the Transatlantic hemisphere, and divides the continents of North and South America."* Here are also to be seen, at a short distance from the shore, the Melville or St. Giles Rocks, one of which is remarkable for the channel through it; and somewhat to the southward is a small island called Little Tobago, a dependency on Tobago, but now uncultivated and uninhabited. At the sale by the commissioners in 1770 it fetched £805; that number of shillings would not be given for it at this time. With the exception of seven miles of level land—now almost all in wood—on the western extremity of the island, Tobago shows generally a surface broken and rumpled by alternate stretches of steep hills and deep and narrow ravines, shooting direct or winding from the dorsal or main ridge of mountain, and from these branches, as torn off, stand occasionally aloof, beautiful mounds of isolated hill, but so close that few levels for marsh or swamp are found of an extent to

* Tobago Almanac for 1810, p. 27.

affect the temperature of the air by noxious vapours. The utmost height of this mountain range is computed at 1800 feet. The island is well watered by rivulets and streams, rising in the interior, which supply in their passage to the sea the estates through which they pass with their tribute of that element so essential to the economy of a plantation; but of late years steam has, to a great extent, taken the place of water as the motive power in expressing the juice from the cane. Around the coast are many excellent bays, of which I would particularly notice the noble harbour of "Man-of-War," or "Manowa" Bay, on the N.E. quarter of the island, with depth of water to the very beach, and tranquil as a mill pond.* This may be considered as one of the finest harbours in the West Indies, and is capable of affording shelter and accommodation to ships of every size and description. Sir William Young has expressed an opinion that Tobago "possesses, from "situation and nature the means of advantageous commerce "and navigation beyond any place in those seas," and farther remarks that it "exhibits from its nature of country, woods, "rivers, and commodious harbours, as likewise from relative "situation, the greatest advantages to be derived from the "establishment of a free port. In latitude 11, and to windward of Trinidad, the eastern hills of Tobago form the southern promontory or bluff-head of the Gulf of Mexico; and "thus placed, the island hath facilities of trading within the "bay, from its harbour of Courland coursing south of Grenada, "on Cumana and the Caraccas; whilst on the other side a "square-rigged vessel may run without a tack from Queen's Bay, in Tobago, to the very mouth of the Oronooka, on the

* Young's West India commonplace Book, p. 192.

"eastern coast of South America; and with equal facility of voyage return to the port of Scarborough; nor is any island so conveniently placed as a depôt, having in view a trade with Guiana, and the River Amazon, and the Brazils, &c." Not only viewed with regard to commerce, but as a military post, Sir William Young considered that Tobago possesses great advantages in its intercourse with whatever sovereign power in Europe it may be subjected to. "Laying in latitude 11, a course from Europe, gaining the trade winds and between the tropics, might be taken by French vessels (supposing Tobago restored to France) in a direction southward of the ordinary navigation by British ships, and so eluding our naval force, might form depôts in Tobago of arms and troops which might be put in action before even the arrival was known to leeward and in the British islands."* It is, however, to be stated with regret, that an English colony, with all the advantages mentioned by the able statesman from whom I have quoted, Tobago has never risen into a position of commercial importance. What might have been its fortune had it been restored to France it is useless to conjecture.

I may now give a summary of the constitution of the colony, which must in some measure be a résumé of what has gone before. We have seen that the island forms part of the Windward Islands Government, at the head of which is the Governor-in-Chief, whose place of residence is Barbados. We have also seen that in the absence of the Governor-in-Chief from Tobago, which is generally the case, as his visits are only occasional and brief, its government is administered by a Lieutenant-Governor, and failing such officer, by an

* West India Commonplace Book, 190, *et seq.*

Administrator appointed by warrant under the sign manual, should it please the Crown to appoint such an officer; but if no such appointment be made, then the Government passes to the Senior Member of the Privy Council, not being the Bishop, the Chief-Justice, or a Clergyman of the Church of England. Passing these, the Government devolves on the Privy Councillor next in seniority.

The officer administering the Government is also Chancellor, by reason of his holding the great seal of the island. Neither in the commission of the Governor-in-Chief nor in the royal instructions is any express mention made of his authority as Chancellor, but the possession of the great seal is granted to him, and he is authorised to use it. This, like other authorities granted to the Governor-in-Chief, devolves, in his absence, under the terms of his commission, on the officer administering the local Government; but I entertain serious doubts whether any other than the equity jurisdiction of the Chancellor can be considered as vested in a Colonial Governor, and we shall find as we proceed that the Governor's authority as Chancellor is much limited by an insular law that I shall review.

A statute of the Imperial Parliament* has been lately passed, to "facilitate the appointment of Vice-Admirals, and "of officers in Vice-Admiralty Courts, in her Majesty's possessions abroad; and to confirm the past proceedings, to extend "the jurisdiction, and to amend the practice of those Courts." By the third clause of this Act it is declared, that in any British possession where the office of Vice-Admiral is vacant the Governor shall, *ex officio*, be Vice-Admiral until notice is received that an appointment has been made by the Ad-

* 26th Vic., cap 24.

miralty. And it is declared, in the interpretation clause, that the term "Governor" shall mean the officer for the time being, lawfully administering the Government of any British possession. At the time of the passing of this Act the Governor-in-Chief held a commission from the Admiralty, appointing him Vice-Admiral of all the colonies included in the Windward Islands Government. It could not, therefore, be said that the office of Vice-Admiral was vacant, and as there was no provision in the Governor-in-Chief's commission as Vice-Admiral, as in his commission of Governor-in-Chief, that in his absence from any-island in his Government, the office conferred on him should be held, and its duties discharged, by the officer in local command, it was considered that the Lieutenant-Governor was not Vice-Admiral of the island. Such, I take it, was not the intention of the law makers who framed the statute, but the Government has since required the Governor-in-Chief to resign his office of Vice-Admiral here, and he having done so accordingly, the vacancy has occurred contemplated by the statute, and the Lieutenant-Governor of Tobago is now Vice-Admiral there.

As regards the office of Ordinary, it is to be observed that the Governor-in-Chief is empowered by his commission to exercise all powers lawfully exercisable by the Crown in respect to the presentation to any ecclesiastical benefice, the issue of marriage licences, and the probate of wills; but not a word is said in respect to the very important authority which belongs to the Ordinary in granting letters of administration to the effects of a party who has died intestate; and the difficulty is increased by some of the authorities of the Ordinary being particularised, because the rule, "*expressio unius est*

exclusio alterius," is of very general and stringent application.* Fortunately, however, an Act of the island, passed on the 11th October, 1862, entitled "An Act to improve the Court of Ordinary," has come to the assistance of the Governor's commission, it being thereby decared that "the Governor† of this "island is Ordinary of the same, and hath sole jurisdiction in "the Court of Ordinary of this island." The object of this Act is to authorise and empower the Chief-Justice to sit as an Assessor to the Governor in all matters and causes which are contested in the Court of Ordinary.

By the Act for the better Government of the island it is provided that her Majesty may appoint such persons as she may think fit as Privy Councillors, and remove them at her pleasure as theretofore. This Privy Council is the Advising Council of the Governor, and the Royal instructions direct that if its members resident and capable of acting be fewer than nine, it shall be lawful for the Governor, and if fewer than seven, it shall be his duty, to appoint provisionally one or more fit persons to be a Councillor or Councillors, until the Royal pleasure be known, but that the Councillors appointed do not exceed nine.

I have already, at such length, treated on the Executive Committee as established by the Act for the better Government of the island, that I need not farther enlarge on that subject, but I shall pass to the Legislative Council, and the elective Legislative Assembly.

* I may refer the inquirer regarding the authority of the Governor as Ordinary, to the case of *Basham v. Lumley*. 3 Carr. and Say., 489.

† By an Act of the island the term "governor" used in legislation is made to apply to the officer administering the government, whatever his title or rank may be.

The first clause of the Act just mentioned declares that the Legislative Council shall enjoy the same legislative privileges as the then Council, and that the Legislative Assembly shall enjoy all their former privileges. Her Majesty is empowered by the second clause of the Act to authorise the Governor to summon persons qualified by that Act to the Legislative Council, provided that the Members do not exceed or be less than seven, and to fill up vacancies, provided that the Legislative Council may continue to exercise their functions for six months after the occurrence of such vacancy; and it is declared that none be summoned to the Legislative Council but subjects of her Majesty resident in the island, and of the full age of twenty-one years. It is also provided, that so long as the Members of Council, being holders of office at the time of the passing of the Act, retain their seats, no farther appointment of office-holders shall be made until the number of office-holders shall fall below three, which number they are never to exceed, one being a Member of the Executive Committee. The Act under consideration declares that the Members of the Legislative Council shall hold their seats for life, which they may, however, resign, and which they would forfeit on becoming bankrupt or insolvent, or public defaulters, or on being guilty of felony or other indictable offence, or being absent without leave for three months, or for a year with leave. This last is rather a strange provision, as by it a Legislative enactment is placed in conflict with an act of grace on the part of the Crown, which is neither courteous nor usual.

The Assembly consists of sixteen Members, including the Speaker. The seven parishes into which the island is divided send to the House two Members each; and the towns of Scar-

borough and Plymouth one each. The majority of the Members form a quorum. The elective franchise is limited to male subjects natural born, or naturalised, or denizenized, who have attained the age of twenty-one years, and are seized or possessed of real property within the town or parish in which the elector votes, of an annual rental value of £10, held in his own right, or that of his wife, in fee simple, fee tail, or for the life of himself, or of his wife, or for a term of one year or upwards. And the manager or overseer occupying a house on an estate, which estate is of the annual rental value of £50, is to be deemed a tenant, and as such entitled to vote for the parish in which the estate is situate. In addition to being a natural born male subject, or naturalised, or a denizen, of the age of twenty-one years, the qualification of a Member of the Assembly consists in his being seized or possessed of real property situate in this island, held in his own right, or that of his wife, in fee simple, or fee tail, or for the life of himself or his wife, or for the term of one year or upwards, of the annual rental value of £50, or of his being in the actual receipt of a clear yearly income of not less than £150. A registry of voters is established, and the Provost-Marshall is the returning officer.* The Legislature holds its sessions twice in the year, commencing respectively on the second Tuesdays in the months of March and October, and terminating on the second Tuesdays of June and January.†

It is provided by the Act for "Enacting and Promulgating the Laws," that the Governor shall affix the great seal of the island to ten copies of all Acts that shall be passed by the

* Franchise Act, 1860.

† Act for Enacting and Promulgating the Laws, 29th December, 1856.

Legislature, certified as in the Act is mentioned, to the intent that the copies so attested shall be of equal value and effect as the original Acts of which they shall be copies. Of these copies one is to be deposited with the Governor, one with the President of the Legislative Council, one with the Speaker of the Assembly, one with the Chief Justice, one with the Colonial Secretary, one with the Law Officer of the Crown, one with the Treasurer, one with the Secretary of the Executive Committee, one with the Provost-Marshall, and one with the Inspector of the Police. And the record formerly kept by the Colonial Secretary, of all Acts passed, was, by this Act, directed to be discontinued. This record was a book of manuscript laws, in which all the Acts of the island were fairly copied, and was of very convenient reference. I am not aware of the necessity that existed for thus verifying copies of the insular statutes: if it were intended to supply evidence of these laws, the effort was useless, for no lawyer can for a moment doubt the illegality of an attempt to give evidence of a public statute: the law is supposed to be in the breast of the Judge, who is to inform himself of it in the best manner he can.

There are three Superior Common Law Courts of Record established in Tobago: the Court of Queen's Bench; the Court of Common Pleas; and the Court of Appeal. The Court of Appeal has already been noticed. There are also Courts of Chancery, Ordinary, Vice-Admiralty, and a Court for the sale of encumbered estates.

The Court of Queen's Bench is constituted under two Acts of the local Legislature. The first is an Act passed on the 17th August, 1829, entitled "An Act for the Abolition of the

"Present Court of King's Bench and Grand Sessions; to Substitute a Court of King's Bench in lieu thereof, and to Extend "to Slaves the Benefit of Trial therein in Cases of a Higher "Nature than Misdemeanour." This Act, as its title imports, repeals the old Court Act of 1794, so far as it related to the Court of King's Bench and Grand Sessions, and created a Court, the style of which was "The Court of King's Bench for the Island of Tobago." Under this Act the Court of Criminal Jurisdiction is composed of the Chief-Justice of the Common Pleas, and two Puisne Justices; any one or more of whom will constitute a Court. The Judges are removable by the Governor, in pursuance of the address of one or both Houses of the Legislature, or in consequence of misbehaviour duly adjudged on a writ of *scire facias*, and not otherwise. The jurisdiction of the Court extends over all offences and criminal matters arising within this island and its dependencies, from high-treason to the lowest misdemeanour; and it sits as a Court of Oyer and Terminer, and General Gaol Delivery. There are two sessions in the course of the year for the trial of offences, and the delivery of the gaol—the first on the first Tuesday in April, and the second on the first Tuesday in October. These are held at the Court House, in the town of Scarborough. The Court is not confined in its sittings to the two sessions mentioned, but the Governor, by writ under the great seal, may direct it to be holden at any time of the year. At the October sessions the Court appoints way wardens and constables. There is, in the Act of 1829, that which appears to me a strange provision, it being declared by the fifth clause that the Chief-Justice, and in his absence the next Senior Assistant Justice, shall be the keeper of the records of the Court.

But the records, I believe, have ever been kept by the Colonial Secretary, who, as the person to make them up, must necessarily have them in his possession. By an Act, dated the 25th November, 1843, passed to amend the Act of 1829, it is enacted that the style of the Criminal Court shall, during the reign of her present Majesty, and whenever afterwards the Throne shall be filled by a Queen, be the Court of Queen's Bench. The jurisdiction of the Court is by this Act extended to the issuing of writs of certiorari, mandamus, and prohibition, in all cases in which such writs may be issued out and had in the Court of Queen's Bench in England; and it is provided, that for the purpose of granting or directing such writs and of proceeding thereupon, the said Court shall be open at all times of the year. By an Act passed on the 24th August, 1853, the Court of Queen's Bench and Common Pleas, respectively, are required to sit at the Court House in the town of Scarborough during each of the four terms mentioned in the Act. Of this Act I shall speak hereafter. Under an Act of the island, passed on the 12th April, 1856, entitled "An Act to Permit and Regulate Appeals from the "Decisions of the Justices of the Peace," the Chief-Justice, sitting alone in the Court of Queen's Bench, is invested with an appellate jurisdiction over the decisions of Justices of the Peace.

The Court of Common Pleas is established by the old Court Act of 1794, already referred to. That directs that a Court of Common Pleas shall be held at the Court House in the town of Scarborough five times in the year, that is to say, on the first Tuesday in the months of April, May, June, July, and August, and shall consist of one Chief-Justice and three

Assistant-Justices, any one or more of whom shall have full power to hear, try, and determine all civil actions and suits at law, except where any special matter is pleaded, a special verdict given, or demurrer joined, in any of which cases the matter shall be heard and determined by three Justices, of whom the Chief-Justice shall be one, if he be on the island, well, and no party to the suit. The Act prescribes the form and manner of proceeding, and the practice of the Court generally.

I have already adverted to the Act of 24th August, 1853. By this Act, instead of the simple arrangement for the sittings of the Common Pleas in the months of April, May, June, July, and August, provided by the Act of 1794, a complicated calculation of time is introduced to effect a division of the year into the four terms of Hilary, Easter, Trinity, and Michaelmas, for holding the Court, in imitation of the English practice, for which there is now no reason, the law terms having been appointed with reference to canonical prohibitions, which have long ceased to be regarded in England, and were never known in the colonies. But the Act* to extend and apply the provisions of the English Common Law Procedure Act to this island is that by which, as regards legal proceedings in the Common Pleas, a chaos has been introduced. This Act contains a general provision extending, in almost all particulars, the 15th and 16th Vic., cap. 76, to this island, without repealing or even noticing the Court Act of 1794. It, therefore, becomes in many cases a difficult matter to determine under which code one is to act; and a lawyer cannot forget the old rule, that the prior Act "ought to be

* Also dated the 24th August, 1853.

"maintained and supported with a benign and favourable construction." Moreover, I would observe, that however easy it may be to adopt a common law principle, it will be found a task idle and nugatory to endeavour, by any short process, as has been attempted here, to transfer from the pages of the English statutes at large to the statute-book of Tobago the detail of any Act, particularly one that carries out a large measure of reform in practice. A widely different state of things, and much difference in pre-existing laws, demand much modification to render a British statute applicable to, or of any use in, this island. A branch of the Common Pleas is to found in a Court held by the Chief-Justice, or in case of his death, absence, or inability from sickness or other cause, by the senior Assistant-Justice of the Common Pleas, without the intervention of a jury, at the Court House in the town of Scarborough, on the second Monday in every month, for the trial of all causes which in England would be cognizable by a County Court, and in which the plaintiff shall not claim any greater amount, or any specific chattel, of greater value than £30.*

As in the case of the Common Pleas, an attempt at short legislation, and a desire to avoid the trouble of preparing a bill in detail, has led to much confusion as to proceedings in the Court of Chancery here. An Act was passed by the colonial Legislature on the 16th February, 1853, entitled "An Act to Provide for the Better Administration of Justice in the Court of Chancery of the Island of Tobago." It is enacted by this statute, that the Court of Chancery of Tobago

* Complaint Court Acts, dated 25th November, 1841; 2d February, 1843; and 16th February, 1853.

within the limits of its jurisdiction shall have the same equitable jurisdiction as the Lord High Chancellor of Great Britain, the Lords Justices of Appeal, the Vice-Chancellors, and other her Majesty's Justices exercising equitable jurisdiction in Great Britain. And the Court is to consist of the Governor, the Chief-Justice, and the Senior Assistant-Justice of the Common Pleas, so that the Governor, as Chancellor, is now only one of the members of the Court of Chancery. The Chief-Justice is declared to be Vice-Chancellor, and he is authorised to hear and determine all matters (except appeals, and matters which in England would be cognizable by the Lords Justices of Appeals only), depending in the Court of Chancery, and his decrees and acts are to be deemed to be the decrees and acts of the Court. But the powers and authorities of the Lords Justices of Appeal are to be exercised in full Court only. The Act authorises the Chancellor, with the advice and consent of the Vice-Chancellor, to make rules and orders for regulating the forms and mode of procedure in the Court of Chancery and before the Vice-Chancellor in court or at chambers, and his chief clerk, and for regulating the fees and allowances to be paid for business done in the court. We are not told by this Act by what means or proceedings the powers given by it are to be exercised; the authority conferred on the Chancellor and Vice-Chancellor to make rules and orders for regulating the procedure of the Court is not sufficient to enable those functionaries to complete the structure of the Act, and to give a body to this bare skeleton. It is only necessary to refer to the Chancery Practice Act of the Imperial Parliament, 15th and 16th Vic., cap. 86, and the Common Law Procedure Acts of 1852 and 1854, to ascertain what

is deemed necessary to be done by legislation, and what may be left to be provided for by rules of practice to be prepared by the Judges. If it be supposed that by the terms of the insular law now under review the British Statutes on the same subject then passed have been adopted, then it may be well to show that the detail of those Statutes cannot be made to apply here. I take the 22d clause of the 15th and 16th Vic., cap. 86. This clause ranges over a wide field of pleas, answers, disclaimers, examinations, affidavits, declarations, affirmations, and attestations of honour; indeed, over almost all the material necessary for defence, and much that is necessary for the prosecution of a suit that may be found and taken abroad. This Statute being passed in England, England is not mentioned as one of the places abroad; but to us it is a place abroad; and if we adopt this Statute without any modification, however necessary it may be to take the plea, answer, &c., of a person in England, (the place abroad with which we are more connected than any other), we cannot do so. Again, there is no Examiner of the Court of Chancery here, before whom, in terms of the 31st clause of the same Act, proofs in a cause may be taken. Doubtless it is in the power of the Executive to appoint such an officer; but it would be necessary that the Examiner should bring to the discharge of the duties of his office a knowledge of the rules of evidence; for if evidence were taken, without a due regard to these rules, much confusion would arise at the hearing of the cause. In our limited community we could not find any one qualified for the office by the requisite knowledge who would be willing to take it. It is certain that neither of the two gentlemen now at the bar here would relinquish their

practice for the emoluments that might attend on the office of Examiner in Chancery. In this particular, therefore, a modification of the English Statute would be required, which might easily be effected by a provision that evidence in a cause should be taken before the Vice-Chancellor. Farther, the first section of this Act requires that the bill to be filed and the copies to be served should be printed. To those who are acquainted with the printing capabilities of Tobago I need not enlarge on the required change here. It is also to be noticed that the colonial Act refers to the chief clerk of the Vice-Chancellor; and certainly, to carry out the English Statutes, such an officer would be necessary; but if we adopt the English Statutes as they are written, without necessary alterations, a chief clerk could not be found here, as it is required by the Statute 15th and 16th Vic., cap. 80, sec. 17, that he shall have been chief clerk to one of the Masters in Ordinary, or a solicitor or attorney of one of the Courts of Westminster of ten years' practice. It must be also apparent, that if the British Statutes can be held to be adopted here, no rule or order of the Court can remove the difficulties referred to, because in so doing such rules and orders would be in opposition to the adopted law. And it must be borne in mind that rules to be prepared under the authority of a Legislative enactment must be kept within the limits of that enactment. They can neither extend its terms, alter its provisions, nor supply its defects. I venture to think it follows from what has been said, that before the Court of Chancery here can be set in motion with any certainty in its practice, the following grave questions must be resolved:—1. How far can rules of practice supply the place of Legislative enactment? 2.

Whether the British Statutes referred to have been adopted here ?

If they have, can they in their present state and language, without material modifications to be made by Legislative enactment, be applied to Chancery proceedings here ?

But our difficulties do not end here. The Court of Chancery in this island is by the local Act invested with the powers and authorities of the Lords Justices of Appeal. Under the 14th and 15th Vic., cap. 83, the Lords Justices of Appeal and the Lord Chancellor exercise an appellate jurisdiction in Chancery matters. In the event of an appeal from the decision of the Vice-Chancellor here, to whom is it to be made, to the full Court of Chancery, under the Act of the 16th February, 1853, or to the Appeal Court established by Act of the island of the 28th April, 1858 ?

On the subject of the Vice-Admiralty Court I must again refer to the recent Statute,* which I before noticed when treating on the office of Vice-Admiral. By the 4th clause of that Act, the Chief-Justice is, in case of a vacancy in the office, appointed Judge of the Vice-Admiralty Court, until a notification is received in the colony that a formal appointment has been made by the Admiralty. And the Judge, with the approval of the Governor, is to appoint to the office of Register or Marshal, in case of a vacancy in either, until a notification is received in the colony of the vacancy being filled by the Admiralty.

With reference to the Court of Ordinary, I think I have said all that is necessary for the purposes of the present summary, when considering the Governor's authority as Ordinary.

* 26th Vic., cap. 24.

In addition to the Courts I have mentioned, Courts of Petty Sessions are held by the Magistrates, who take cognisance of petty thefts, common assaults and batteries, minor trespasses, and such like matters, under various insular enactments. And we have seen that to the Stipendiary Magistrate is entrusted the adjudication on all questions between the immigrant and his employer. The West Indian Encumbered Estates Act* of the Imperial Parliament has been adopted here by an Act passed for that purpose on the 13th January, 1858. It may be useful to mention that application for sale may be made to the Commissioners in England or to the Commissioners here, and that jurisdiction which was given in respect only of real estate, fixtures and machinery annexed, and rents, is now extended to all live and dead stock, and that the Commissioners, after an absolute or conditional order for sale, may appoint a receiver.

The laws of Tobago are more crude and insensible than those of any civilized country with which I am acquainted. To such an extent has the short law system—examples of which I have given—extended, that by the Declaratory Act, at which I have before glanced, not only the Statutes of the Mother Country in force at the time of enacting the law, but those thereafter to be passed, as were or should be, or become applicable and suitable to the circumstances and population of the colony, are declared to be in force here. Uncertain and objectionable as this Act is, it is rendered more uncertain by subsequent legislation, in so much that it is now difficult to say whether it is in force or not, or what Statutes of the

* 17 and 18 Vic. c. 117 (1854), amended by 21 and 22 Vic. c. 96 (1858), and by 25 and 26 Vic. c. 45 (1862), and by 27 and 28 Vic. c. 108 (1864).

Mother Country it has transferred to our code. If this Act be in force, no farther law is necessary for the adoption of any English Statute, it being only necessary for the Judge to declare from the bench that a certain British Statute is applicable to the circumstances and population of this colony to give it full force and effect here. When, therefore, we find the Legislature, by subsequent enactments (and there are many such) declaring that some Statutes of the Mother Country shall be in force here, or enacting others in detail, then we have an unmistakeable legislative declaration that the Declaratory Act does not serve to give effect in this island to all such of the English Statutes as suit our circumstances, for if it had such effect, then subsequent legislation would have been unnecessary, and would, therefore, not have been resorted to. But let it be granted that the Declaratory Act is in force: under its operation it will be for the Judge sitting in Court to declare what Statutes of the Mother Country are, and what are not, applicable. This is unconstitutional and wrong; it is giving to the Judges, and even to a single Judge, legislative authority, by leaving it to him to say what law shall be adopted and what rejected. The magnitude of the evil increases when it is considered that the authority thus unconstitutionally vested in a Judge is not confined to Statutes of the Mother Country now in force, but extends to all that hereafter may be passed; so there will be an ever-recurring difficulty; always some new case to arise, with little chance of any precedent as a guide. It will be impossible for either suitor or counsel to say what laws are in force; the most cautious and prudent may incur liabilities they never thought of; the most learned counsel will be unable to advise,

because no man, however prudent, no lawyer, however learned, can foretell what the opinion of a Judge may be, as to the applicability of a British Statute to the circumstances and population of the colony. What is law will be kept as a secret locked up in the breast of the Judge, and not revealed until some unfortunate litigant be wrecked on the hidden danger. The Judge should be the organ and expounder, and not the maker, of the law. The less discretion left in a Judge the better. In the memorable words of Lord Camden, "The discretion of a Judge is the law of tyrants; it is always unknown; it is different in different men; it is casual, and depends upon constitution, temper, passion. In the best it is oftentime caprice; in the worst it is every folly, vice, and passion to which human nature is liable."

In this state of the law it is fortunate that there is an absence of all litigation in the Superior Civil Court, and little in the Complaint Court; and it is to be noticed, much to the honour of the two gentlemen who practice at the bar here, that they abstain, as far as their duty will permit, from agitating vexed questions growing out of the uncertainty of the law, which would introduce much confusion, and most probably entail loss on the innocent.

In addition to the absence of litigation, it is truly gratifying to observe the comparative absence of crime, as evidenced by the lightness of the calendar at the Criminal Courts. The Court held in October, 1861, was a maiden session, there not being one case for trial; and the Marshal observed the old custom of giving gloves. In the four succeeding sessions, held in April and October, 1862, and April and October, 1863, the whole number of convictions only amounted to thirteen. Of these,

three were for manslaughter, three for housebreaking and stealing therein, one for stealing metal from a building, one for attempting to set fire to a house, one for larceny, three for sheep-stealing, and one for killing a horse. In one of the manslaughter cases death occurred from negligently driving a cart; in another, the prisoner and the deceased, owing to some sudden provocation, came to blows; no undue advantage was sought or taken on either side; but a fatal blow was received by the deceased in the course of the conflict, which caused his death. But in the third case the deceased came to her death under circumstances of great enormity on the part of the person accused. A mother turned her daughter out of the house in which the former resided with her paramour, while the daughter was suffering the pains of parturition. The unfortunate girl gave birth to a child on the highway, and death was the consequence. Revolting to our feelings as the circumstances of this case are, yet it is matter of grateful reflection that it is the only case of homicide pregnant with moral turpitude that has occurred in this island for the last seventeen years. There are many concurring causes to which may be attributed the trifling amount of crime I have noticed. Idleness, the parent of evil, prevails less in Tobago than in any of the West India colonies that I am acquainted with. Education has been widely spread over the land, extending, as appears by the last report on the subject, beyond thirteen per cent. of the population. An efficient police force is active and vigilant in the discharge of its duties; and the prison and the prison discipline are admirably adapted to the due punishment of the offender—far different from what I have observed in some other places, where the comforts,

may, the luxuries, enjoyed in gaol served as a premium for crime. Having referred to the police, I may, in connection therewith, mention that Governor Drysdale has established a small reserve pertaining to that force, consisting of twelve disbanded soldiers formerly belonging to one of the West India Regiments, to serve on any emergency, and to form the nucleus of a larger force in case of necessity. These men receive sixpence a day while unemployed, and full pay as policemen should they be called into service.

The first clergyman of the established church that I find in Tobago was the Rev. Walter Carew, who appears to have commenced his labours in 1781; and in 1788 the Rev. John Mathews was rector. It will be recollected, that by the capitulation, signed on the 2d June in that year, the inhabitants were guaranteed in the free exercise of their religion, and to the clergy was insured the enjoyment of their benefices; but at this time, and for many years afterwards, the whole island formed but one cure. It may be supposed that the English church faded before the Roman Catholic during the period of twelve years that the French had possession of the island, and exercised ecclesiastical government.* On the restoration of English rule in 1793 the influence of the established church revived; but for want of a building set apart for the service of the Almighty divine worship was for many years usually performed at the Court House. In 1800 it appears the service was given in church. During that year 410 negroes, 67 persons of colour, (these numbers included adults), and 15 whites, (all infants), were christened. It was not until 1844, as already mentioned, that the island was divided into

* 2 Coke's West Ind., 174.

three benefices. For some time a Presbyterian congregation existed here under the spiritual care of a minister who, as well as the pastor of the English Church, was paid from the island treasury. But after a time this congregation dissolved, and in 1841 the kirks at St. Paul's and Scarborough were passed to the English Church as a loan;* the first is now the parish church of St. Paul's, and the latter is used as a school-room. There is now a church at Scarborough, at St. Paul's, at St. Mary's, at Plymouth in the parish of St. David, and at St. Patrick's; and chapels at the Hope in the parish of St. George, and Les Cateaux, in the parish of St. David, with schools attached. There are in attendance on the service of the Church throughout the island about 2000 persons.

The Church of the United Brethren, after two attempts and failures, has established a mission. John Hamilton, Esq., the gentleman of that name before referred to, applied in 1787 to the Mission Board in Germany, requesting the establishment of a mission on his estates, and the island was in consequence visited by the Rev. John Montgomery,† a Moravian missionary from Barbados. By Mr. Hamilton he was introduced to the Governor, Count Dillon, who not only treated him with kindness and respect, but promised him both protection and support. Thus encouraged, the missionary determined on making a permanent settlement on the island, and with such intent arrived here on the 27th April, 1790, and took up his residence at Signal Hill. But he met with many crosses and

* At a meeting of the Committee of the Presbyterian Association, held on the 5th October, 1841, it was resolved that the kirk in Scarborough and the one to Windward should be lent to the Established Church for Ecclesiastical purposes, until required by the Association.

† The father of Robert Montgomery, the Poet.

disappointments. His residence was destroyed by the hurricane of 1790, of which he thus writes:—"I ran out of the house to look about me, but could see nothing for rain and lightning. Rafters and shingles were flying about in the air, and the storm soon forced me back into our dwelling. In a few minutes the rain had as thoroughly penetrated my clothes as if I had fallen into the sea. I now carried my poor sick wife into a small chamber adjoining the dwelling, but though it was firmly built, the rain beat in at all corners, so that there was but one small spot where she could sit dry, and in this situation we remained until the storm abated."* At this time Mrs. Montgomery was ill of a fever, which shortly afterwards terminated in her death. As to the mission, Mr. Montgomery complained that he was unable to gain the attention of the town negroes, many of whom had been baptised by the Roman Catholic priests and others, but none attended any public worship. And finding much to discourage, from the indifference of the proprietors of the estates, with the exception of Mr. Hamilton, and being in ill health, he returned to Barbados in 1791, and died there. Another attempt was made in 1799 to establish a mission, but with as little success as the former. In 1827 a farther effort was attended with favourable circumstances, and eventuated in the very prosperous and useful establishment which acknowledges the the Church of the United Brethren as its head. There are now two regular stations—Montgomery and Moriah. Montgomery is situated on a hill in the centre of the estates of Mount Irvine, Old Grange, Riseland, and Buccoo. It was first built in 1828, subsequently from time to time enlarged,

* 2 Coke's West Ind., 176.

and being destroyed by the hurricane of 1847, the present church was erected in 1850, by subscriptions from the people and other friends of the mission. Moriah is in the parish of St. David. It was built in 1842, and its situation is peculiarly picturesque and beautiful. The mission has also schools and preaching places at Spring Garden, Bushby, Black Rock, and Bon Accord. The number of persons under instruction is about 1400 adults, above 800 children in the day schools, and from 400 to 500 adults and juveniles in the Sunday schools.

The Society of Wesleyan Methodists established a mission here in the early part of 1818. The year before, when the Rev. Mr. Woolley was passing in the mail-boat, in answer to the entreaty of a few members left by the Rev. Mr. Elliot (a minister who had built a chapel at the bottom of Old Market Square, under the direction of the London Missionary Society, but who had left the island for some time), Mr. Woolley promised to return with a minister, which he did in 1818—the minister being the Rev. J. Raynor. In 1823 subscriptions were commenced for the erection of a Wesleyan Chapel in Scarborough by the Rev. Mr. Nelson, by whose exertions it was completed and opened in 1826. So highly was the value of the Wesleyan Mission estimated, that the Legislature of the island voted £100 to the building fund, and nearly the whole of the remaining expenditure attendant on the building was collected by voluntary subscriptions in the colony. In addition to the station at Scarborough, there is one at Mount St. George, at Mason Hall, at Cartara, at Ebenezer, at Mount Stewart, and at Plymouth and Francklyn. One-third of the population may be considered as attending on the Methodist

ministry. Two ministers are engaged in its service. There are 1083 members of the society who are communicants, and 499 children are on the books for instruction.

In the "Encyclopædia Britannica," edition of 1796, under the article "Tobago," we have the following account of the vegetable productions of the island:—"Almost every species of useful wood is found here, and some of an enormous size; among others the true cinnamon and nutmeg trees, as the Dutch confess, and of which none can be better judges. Whole groves of sassafras, and of trees that bear the true gum copal, with other odoriferous plants, that render the air wholesome and pleasant." And the Tobago nutmeg is mentioned as one of the valuable plants introduced into St. Vincent by Doctor George Young, who received a gold medal from the "Society for the Encouragement of Arts," for having established this and other curious plants in the botanical garden at St. Vincent.* Doctor Coke says—"This island is not, like most of the other Antilles, incumbered with stupendous inaccessible mountains. The highest grounds only rise into agreeable and moderate hills, from which you descend into fertile valleys and extensive plains, shaded with a variety of lofty trees, which seem as if planted by nature to protect the inhabitants, who walk under the spreading branches, from the scorching heat of the sun. The cedar and palm trees are particularly distinguished for their extraordinary height and circumference, far exceeding those of the other islands. It is remarkable for the great variety and abundance of its fruit trees, the beauty and fragrance of its shrubs and flowers, and the plenty of culinary vegetables,

* 2 South. West Ind., 409.

"supplying a wholesome cooling diet essentially necessary in this hot climate."* Fowler, the author before referred to, who wrote in 1774, speaking of the Tobago nutmeg, says—"The nut, and mace which surround it, are not, degenerated as they are, a bad substitute for those eastern spices; it has been lately transplanted into the island of St. Vincent by a medical gentleman, in the hopes of reclaiming it."† I fear we cannot rely on the correctness of all that is quoted above. The nutmeg to be found in Tobago at this day is of so inferior a quality as to be useless, and could never have been better; indeed, the nutmeg of the island, known to naturalists as "a native of Tobago," is the *maristica fatua*, a distinct plant from the *maristica aromatica*, which is the true nutmeg. The cinnamon is not indigenous, but is a plant of culture here. I am told by a scientific friend, who has searched for it, that the sassafras is not to be found in the island; but he has discovered the vanilla and an elastic gum.‡ The pimento abounds in the woods. If there be any other plants of value they are not brought to any useful maturity for the benefit of man. Even the splendid timber, the size, strength, and durability of which serve to afford some evidence, in part confirmatory of the extracts I have made, is but little used for the many purposes to which it might so well and profitably be applied.

I have already mentioned, that in 1770 the ship *Dolly* was loaded with sugar, the produce of Tobago; and the progress of

* 2 Coke's West Ind., 172.

† Account of the Island of Tobago, p. 27 (n.)

‡ The bullet tree yields largely a milky juice, which, when concreted, becomes true gutta percha.

successful colonization for many years continued. In 1776 the estimated value of the exports from Tobago was £20,000. In 1780 three thousand hogsheads of sugar, 1,619,000 eds. of cotton, and 27,000 eds. of indigo, were shipped from the island. I have appended a table, showing the exports of produce in the years commencing 1794, and ending 1809. It is necessary to remark, that during this period the hogshhead of sugar did not average more than 13 cwt. I have not been able to ascertain the quantity of produce exported in 1810, and from thence on to 1826; but I have subjoined a statement of what was shipped from 1827 to 1862, both years included. It is gratifying to remark that the crop of 1862 is the largest of any made since 1839. It would appear, that in the interval between 1809 and 1827 the cultivation of cotton and indigo had been abandoned: the price obtained for the former fell so low as to render its cultivation in the West Indies unremunerative. The cotton produced in Tobago was of the most superior quality known in the trade. We are told in the "Encyclopædia Britannica," edition of 1854, under the title of "Cotton Manufacture," "that in the year 1792 Mr. Jonathan Pollard of Manchester succeeded in spinning yarn upon the mule of the fineness of 278 hanks to the pound, from cotton wool grown by Mr. Robley in the island of Tobago. This yarn was sold at twenty guineas per pound to the muslin manufacturers at Glasgow." If the same article the writer proceeds to say—"The cotton of the finest quality ever brought to the English market, or probably ever grown, was that formerly mentioned as having been raised in the island of Tobago, between the years 1789 and 1792, upon the estate of Mr. Robley. That gentleman carried the cultivation of

"this article to some extent, but the price of cotton falling very low, and the cultivation of sugar becoming extremely profitable, in consequence of the destruction of sugar plantations in the French islands, he was induced to convert his cotton grounds into a sugar plantation. The production of cotton of this very fine description has hardly ever been attempted by any other person, although it is believed that the price it would yield would amply repay its expense." And at this time, when the demand for cotton is so urgent, why is the energy of the capitalist not employed in the production of the superior article in its friendly soil of Tobago? It requires little or no machinery to fit it for the market, and its culture would in no wise interfere with the growth of the cane or the manufacture of sugar; and certainly there can be no place in the West Indies better suited to the production of cotton than the extensive plain on the south-west of the island, called Sandy Point, bounded by the sea shore, and now covered with wood and copse.

The island is capable of cultivation throughout; but not more than a tenth part of it can now (1862) be said to be cultivated. The soil is still fresh in its richness, resisting the impoverishing effects of the metayer system, and producing from rude cultivation a return which, from like means, would not be equalled in any other of the West India islands. The metayer system was first introduced in this island in 1843 by Mr. Cruickshank, the then proprietor of the Prospect estate; and it was generally resorted to in 1845. Such was the depression at that time, that had not the labourer been induced to work for a share of the produce, the estates, for want of means to pay in money for labour, must have gone out of

cultivation. Under such a system of cultivation there can be no farming; the labourer cultivates his field so long as it remains in heart; it is not his interest to manure it; for as soon as it ceases to produce what will remunerate him for his labour he moves off to a fresh field; there is an entire absence of all implemental husbandry; and, owing in a great measure to the bad faith in which, on both sides, the contract is too often carried out, what it done is imperfectly done, and from many causes yields little return. I have known canes so planted to remain on the land two years without being cropped. The labourer receives one-half of the sugar made, and a bottle of rum for every barrel of sugar, upon the supposition that the molasses has been used in the distillery. He is at the whole cost of cultivation and manufacture.

I find, by an Almanac published in 1810, containing valuable notes by Sir William Young—on which I have largely drawn in the present work—that in that year there were 89 sugar estates in cultivation; by the list of estates appended to Byres' map of the island, it appears that in 1832 that number had been reduced to 75. In 1849 the number was farther reduced to 71, according to Mathieson's Almanac for that year. And by a statistical table prepared by Mr. Allom, a former secretary of this island, in 1857 only 60 estates were in cultivation; the number is now increased to 65. From the facts stated in this Chapter I think it is apparent, that during the period of Governor Drysdale's Administration the colony has progressed. I have seen a very able statistical paper, made up to March, 1861, prepared by an intelligent gentleman from official returns, by which he shows, that considering production with reference to population, -exports compared

with imports, revenue in relation to exports, and exports in excess of both imports and revenue, Tobago shares with St. Kitt's the enviable position of being at the top of the list above all the colonies in the West Indies.

I have appended a table, showing the estates in cultivation and their owners, in 1832, copied from the list in Byres' map, and those in cultivation in 1862; and I have also annexed tables of the lots of land in each parish, as granted by the Commissioners for the sale of lands, on the cession of the island in 1763, showing the number of each lot as granted; the original grantee; the present possessor, when known; and the name, when a name has been given, that each lot now bears. I have compiled these statistics in the hope that they may be useful to those interested in property in this island.

The island is well supplied with deer. Some were imported from the Spanish Main by Sir Frederick Robinson while he administered the Government, which he let loose, and those now in the island are their increase. Good venison can be purchased at from 8d. to 10d. a pound. We are well and regularly supplied with beef, mutton and pork; beef and pork at 8d. and mutton at 10d. a pound—the latter small but of excellent flavour. Poultry is high in price and not particularly good. There are wild hogs to be found in the island, and the country abounds with the pieary, a sort of hog with short ears and a gland on their back; their grunting noise is loud and peculiar. Here are also to be found the racoon, armadillo, agouti, manicon, squirrel and guana; also several rats, among which is the pouch rat—a true rodent, having pouches or sacks on each side of the face, in which it carries bits of roots, such as potatoes, cassava, &c. In the rivers in the wind-

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ward part of the island the alligator is often seen; one has been taken seventeen feet long; it was killed in the Betsey's Hope River, where it had attacked a man who was crossing the stream, but who fortunately escaped the monster. It has always been considered that this animal was a stranger, brought by the current from one of the continental rivers; the native alligators do not measure much over six feet, and I have not heard of any injury done by them to man. The boa-constrictor is also a native of the island.

The birds of Tobago are of great variety, some of gorgeous plumage, and many add to the delicacies of the table; among the latter may be enumerated the cockrico, a species of pheasant, peculiar to the island; the ramier, or blue pigeon, the wild pigeon, partridge, turtle dove, and water hen. There are also a great abundance of parrots, and several varieties of the heron, including the jabizu, which has been seen six feet high, and also many of the crane species. The humming bird is found here of five different kinds—the ruby-crested, the emerald, the white-tail, the sabre-wing, and the doctor. With the exception of the white-tail and sabre-wing they are to be seen on the flowers everywhere, exposing in the bright sunshine their exquisite gem-like plumage. The white-tail loves the covert of the tall forest trees, coming out early in the morning and in the cool of the evening by the river side to prey on insects. The sabre-wing is remarkable for having the outer feather of the wings flattened out, horny, and presenting the curve of a sabre. It is only to be found in the deep woods. The island is visited in the autumn by the curlew, snipe, plover, and a variety of the wild duck. The scarlet ibis, or flamingo, has been shot here. The bays and waters round the island abound

with fish, turtle, lobsters, and crabs, of every description to be found in the West Indies. Fish is sold at sixpence, and turtle at fourpence a pound. The electric ray, or torpedo, is caught near Tobago. The ant is here in great variety, from the minute little red emmet to the large warrior ant, black in colour, and about one-half of an inch in length. If disturbed it will rush at a man with mouth wide open and inflict a severe bite. The parasol ant, so called from the manner in which he carries over him his spoil of flower or leaf, is a red ant, most destructive to flowers and vegetables. He cuts from the leaf a portion of a circle with the utmost accuracy and neatness, and travels a considerable distance to commit his depredations, overcoming any difficulty that may present itself with wonderful perseverance and ingenuity. A recent naturalist (Bates) in describing this pest, as it appears in the valley of the Amazon, claims to having discovered the purpose of the insect in depriving plants of their leaves. The ant, he says, does this to make the roof of his tunnel. Now in Tobago the parasol ants often make their nests in walls and ceilings of houses, or in knobs of decayed trees, yet they are often seen busily employed on their way to their dwellings loaded with green leaves, petals of all hues, and the tender succulent rose shoots. They are often seen scraping the rind off oranges, mangoes, and guavas, and filching from grains of barley and dried orange-peel. Surely the tender petals of flowers, the rose twigs, the globular barley, the disintegrated orange and mango peel, are not good materials for covering roofs, if it were necessary to build a roof to the dwelling in the wall, in the ceiling, or the decayed tree. It is for food that the ant depredates, and this conclusion is borne out by the fact that

he is very select in his choice of a leaf; he rejects all poisonous leaves, such as the oleander, and all leaves exuding milky or thick glutinous juice. The only means to get rid of this marauder is to find his nest—not always an easy matter, as he has been known to travel from it a quarter of a mile—and destroy the inhabitants by mixing it with them and the surrounding earth into a puddle with water. It is a curious fact that a snake is almost always found an inhabitant with the ants in their nest, apparently dwelling with them in perfect harmony. There are four sorts of honey bee to be found in Tobago, all stingless, depositing their honey, not in combs, but in sacks, which are closed up. The largest bee is the size of the blue-bottle, and the smallest the size of the cheese fly. There are no venomous creatures of any kind in the island save the black scorpion, the sting of which proves at times fatal to life. Stimulants are resorted to as antidotes to this poison.

From observations that I have been able to make, I can come to no other conclusion than that Tobago is as healthy as any other of the Antilles. The atmosphere is certainly humid, and some constitutions may suffer from it; but there are fewer swamps than in other islands that I am acquainted with, and the sea breeze, as it sweeps along the whole length of the land from east to west, impregnates the atmosphere with saline particles, which purify it, and conduce to health. I have seen a calculation, by which it appears that the deaths among the white inhabitants, for a period of three years, were as one in twenty-four per annum. I have felt it cooler in Tobago than in any other island in the West Indies in which I have been.

I cannot deny myself the pleasure of bearing witness to the kind and friendly feeling which prevails among the inhabitants of Tobago. I know no place where complexional prejudices less prevail. It has been truly said by Dr. Channing, that "of all parties, those founded on different social relations are the most pernicious." From this evil Tobago is happily free.

Among the records in the Secretary's office of this island is to be found, duly proved and recorded, a Will, in which the poet has shown his art. I append a copy, for the amusement of the curious.

I may not conclude this humble effort at History without noticing the fact, that Tobago was for a time the residence of the celebrated John Paul Jones, who was there engaged in commercial speculations. Great men give a reputation to the place even of their sojourn. The ruins of Carthage derived additional interest from the tears of Marius.

APPENDICES.

THE FOLLOWING TABLE SHOWS THE EXPORTS OF PRODUCE
FROM TOBAGO, COMMENCING 1794, AND ENDING 1809.

Years.	Hogsheads Sugar.	Puncheons Molasses.	Puncheons Rum.	Puncheons Shrub.	Weight Cotton.
1794	8317	91	4998		454,500
1795	6071	301	4368	1	327,150
1796	7446	42	5693	1	401,100
1797	7658	4	4893		73,650
1798	9792		7415	1	25,950
1799	13,677	151	7669	4	7950
1800	10,276	1383	6429	5	9000
1801	11,411	662	7686	24	31,000
1802	13,300	585	7864	80	24,150
1803	8121	95	3435	15	26,400
1804	11,044	381	6390	14	19,200
1805	13,215	920	8621	15	35,400
1806	12,580	655	8192	29	29,250
1807	10,440	686	9000	24	28,050
1808	10,775	206	7934	22	20,400
1809	11,151	73	7663	19	34,350

A TABLE SHOWING THE PRODUCE EXPORTED FROM TOBAGO
FROM 1827 TO 1862, BOTH YEARS INCLUSIVE.

Years.	Cwts. Sugar.	Gallons Rum.	Cwts. Molasses.	Years.	Cwts. Sugar.	Gallons Rum.	Cwts. Molasses.
1827	86,054	362,440	1543	1845	63,037	157,514	7339
1828	137,151	504,728	8746	1846	45,433	111,512	4578
1829	119,436	493,324	2289	1847	72,293	263,904	5449
1830	107,946	400,440	787	1848	53,345	139,978	2079
1831	133,825	492,132	1868	1849	56,463	120,392	5775
1832	126,007	337,916	17,493	1850	47,730	114,684	3255
1833	104,965	274,940	16,758	1851	56,514	134,604	1491
1834	88,722	272,284	12,400	1852	66,879	149,020	1438
1835	85,093	311,100	5764	1853	57,327	139,296	1522
1836	122,464	375,876	13,702	1854	49,844	157,084	787
1837	98,010	325,048	10,048	1855	41,788	117,140	388
1838	76,820	244,424	6783	1856	47,147	176,116	2299
1839	83,565	266,364	5691	1857	48,096	104,796	2257
1840	62,208	174,736	4735	1858	67,147	143,428	1648
1841	40,932	102,656	2688	1859	69,330	147,014	2456
1842	49,408	134,460	4840	1860	59,052	109,047	1207
1843	52,845	110,200	10,206	1861	59,013	100,608	1123
1844	58,001	119,176	14,290	1862	83,168	110,036	4096

PARISH OF ST. JOHN.

No.	Name.	Original Grantee.	Present Possessor.
2	Trois Rivières, .	Wm. Nash.	Walter Douglas.
3	Spey Side, . .	Same.	
4	Hermitage, . .	John Piggott.	
5	Arice Fourmi, .	Jas. and Dun. Campbell.	B Barclay Cunningham.
6		Richard Farr.	Unknown.
7		John Aitchison.	Do.
8	Bloody Bay, . .	Archd. Macgee.	Do.
9		A. Wilson and	Do.
10		J. Hamilton.	Do.
11	...	Wm. Karst & Thos. Bird.	Do.
12		Burryan and	Do.
13		Douglas.	Do.
14	...	Wm. Lindow.	Do.
15		John Hunt.	Do.
16		John Carlton.	Do.
17	Parrot Hall, . .	Wm. Williams.	Do.
18		Robt. Young.	Heirs of Walsh.
19		Arthur Leary Pigott.	Colonel Taylor.
20	Englishman's Bay,	Same.	
21		James Macintosh.	
22		Same.	Geo. Ferguson.
23	Castara, . . .	Pat. Ferguson.	
24		John Charlton.	
25		Wm. Lindow.	Unknown.
26	Starwood, . . .	Geo. Guise.	Do.
27		Al. & Nat. Gordon.	Walter Douglas.
28		R. Douglas & A. Scott,	
29	Lucy Vale, . .	Abram Markoe.	
30		E. Hawkins & J. Johnston	Mrs. Junis.
31		Alex. Stewart.	Jno. & Jas. Leith.
32	Observatory, . .	Will. Young.	Unknown.
33		Rob. Irving & J. Phipps.	Do.
34		Alex. & Nat. Gordon.	Houston Stewart.
35	Belmont, . . .	Edward Hawkins.	Unknown.
36		Alex. Stewart.	Do.
37		J. & J. Clarke.	Jno. & Jas. Leith.
38	Telescope, . .	Wm. Lucas.	Unknown.
39		Wm. Townsend.	Do.
40		Wm. Donaldson.	Do.
41	...	C. W. & J. Irvine.	Do.
42		Edward Hawkins.	Do.
43		C. W. & J. Irvine.	Do.
44	...	G. Stevens & W. Gray.	Do.
45		C. W. & J. Irvine.	Do.
46		J. Leith & C. Irvine.	Do.
47	...	Boulston Johnston.	Do.
48		Hugh Munroe.	Do.
49		Thos. Fairholme.	Edw. Ellice.
50	St. Rose, . . .	Thos. Bridgewater.	Unknown.*
51		J. Luke & H. Fisher.	Do.*
52		Parlatrivier, . .	Heirs of Keith.

* These members not on Byers' map.

PARISH OF ST. PAUL.

No.	Name.	Original Grantee.	Present Possessor.
1	Betsy's Hope, .	Wm. Young.	John M'Call & Others
4		Same.	
45*		Robert Stewart.	
2	Delaforde, . . .	Jno. Dearman Nanton.	Squatters.
3		Same.	
5	Roxborough, . .	D. Mill & A. Young.	Hon. James Kirk.
18		Archibald Stewart.	
6		Duncan Campbell.	
7	Argyle, . . .	Same.	Robert Gordon. Hon. Jas. Kirk, part of Argyle.
8		Same.	
9		Saml. Sandbatch.	
10	Inverawe, . . }	Wm. Todd.	Jno. & Jas. Leith.
11		Jas. & Dun. Campbell.	
17	Kendall Place, .	John Mill.	Mrs. Caroline Innis.
12		John Piggot.	
13		Same.	
14	King's Bay, . . }	Wm. Young.	Unknown.
36½		John Piggot.	
38		R. Buglass & A. Scott.	
15	...	Wm. Howard Brown.	Do.
16	...	Appleby Gilpin.	Do.
19	...	Alex. Campbell.	Do.
20	...	Wm. Young.	Do.
21	...	Alex. Campbell.	Do.
22	...	Jno. Luke & H. Fisher.	Do.
23	...	Wm. Young.	Do.
24	...	Jno. & Sam. Clarke.	Do.
25	...	Geo. Gus. Meyers.	Do.
26	...	John Guise.	Walter Douglas.
27	...	J. Luke & H. Fisher.	Unknown.
28	...	John Sharpe.	Heirs of Napier.
29	...	Wm. Young.	
30	...	John Sharpe.	
31	...	Will. Beaty.	Unknown.
32	...	Rod. Williamson.	Do.
33	...	Alex. Young.	Do.
34	...	Thos. Bridgewater.	Nelson & Adam.

* No such number on Byres' map.

PARISH OF ST. MARY.

No.	Name.	Original Grantee.	Present Possessor.
1	Goldsborough, .	John Haslen.	John M'Call & Others
2	Glamorgan	Alex. Brown.	Glamorgan. Same.
3	and	Same.	Pembroke, Blakeley,
27	Pembroke, . .	Graham & Bernard.	& Murray.
4	Bushy Park, . .	Gedney Clarke.	John M'Call & Others
5	Richmond, . .	Walter Pringle.	Do.
6			
7	Sion Hill, . . .	Thomas Bridgewater.	Jas. H. B. Thomas.
8			
9		Henry Smith.	
22	Goodwood, . .	Fred. Corsar.	John M'Call & Others
23		Chas. Simpson.	
10	Unity,	Richd. Green.	Heirs of Haynes.
11	Invergordon, .	John Byers.	G. K. Forbes.
12			
13	Lure,	Jas. Falconer.	Do.
14			
15		Rowland Green.	
16	Morne D'Or, . .	Same.	John M'Call & Others
37		Geo. Forbes.	
17		Will. Alexander.	
18	Pulteney Hill, .	Same.	Do.
19		Andrew Allon.	
20	Windsor, . . .	Richd. Green.	Unknown.
21	Eden,	Jas. & Thos. Lucas	Heirs of Hatt.
24	...	Wm. Macintosh	Unknown.
25	Irvine Hall, . .	James Irvine.	John M'Call.
26	Up. & Low. Catton	Edmund Lincoln.	Heirs of Hynes.
28			
29	...	Will. Irish.	Unknown.
30			
31	...	Rob. Walton.	Do.
32	...	Will. Stewart.	Do.
33	...	Will. & Sam. Irish	Do.
34			
35	...	John Demonchey.	Do.
36	...	John & Sam. Clarke.	Do.
38	...	Richd. Burke.	Do.
39	...	Wm. & Sam. Irish.	Do.
40			
41	...	Peter & Sam. Maddock.	Do.
42	...	George Gibb.	Do.
43	...	Pat. Sharp.	Do.
44	...	Ben. Brown.	Do.
45	...	John Dumarerg.	Do.
46	...	Will. Stewart.	Do.
47	...	Will. Clinton.	Do.
48			
49	...	Richd. Burke.	Do.
50	...	Pat. & Geo. Ferguson.	Do.
51	...	Edward Hicks.	Do.

PARISH OF ST. GEORGE.

No.	Name.	Original Grantee.	Present Possessor.
1	Hope,	Will. Young.	Gregor M'Gregor.
7		Alex. Stevenson.	
8		Same.	
2	Bacolet,	Rob. Stewart.	Walter Douglas.
3	Friendsfield or Belvidere, . . .	Henry Fisher.	Heirs of Kitson.
4		Samuel Clapham.	Jas. F. Jamieson.
5	Cinnamon Hill, .	Roger Smith.	Jas. Cunningham.
6	Cradley,	Same.	
13		Archibald Kennedy.	
15	Mesopotamia, . .	Wm. Blenman.	Earl of Harewood.
9	Greenhill, . . .	Robert Wynne.	Gillespie & Others.
10		John Hunt.	
11	Belmont,	Same.	James Hackett.
12		A. Wilson, J. Hamilton	
22	Adelphi,	William Stewart.	Dowland Kaye.
14	Concordia, . . .	Samuel Clapham.	Exor. Keens.
16		John Charlton.	
24	Friendship, . . .	Samuel Martin.	Gillespie and Others, merged in Green Hill.
18	Retreat,	David Fogo.	
19	Easterfield, . . .	James Russell.	Unknown.
20	Nutmeg Grove, now Alma, . . .	John Evans.	Do.
21		Jas. & Thos. Lucas.	Thomas Blakely.
23	Highlands, . . .	Rob. Alexander.	Hon. J. Kirk & Others.
27	...	Theo. Alexander.	Unknown.
25	Widow's Lot, . .	Chas. Payne Sharp.	Robert Crooks.
26	...	Same.	Unknown.
28	Belvoir,	Wm. Bartlet.	Do.
29	Caledonia, . . .	Geo. Guise.	Do.
30	Hilsbro' Vale, . .	Wm. Lucas.	Do.
31	Studley Park, . .	John Colby.	Mary A. Brooke.
32		Thos. Bridgewater.	
33	Mount Rose, . . .	Michael Croker.	Hon. Ed. Ellice.
34		Same.	
35	...	Edward Hawkins.	Heirs of E. Lincoln.
36	Spring Hill, . . .	C. Craig & P. Campbell.	Unknown.
37	...	Alex. J. Alexander.	Crown land.
38	...	P. & F. Ferguson.	Unknown.
39	Part of Runemede,	Arthur Leare Piggot.	Hon. Jas. Leith.
40		Thomas Bridgewater.	
41	...	John Birkmer.	Unknown.
42	...	John Knight.	Do.
43	...	Poor Settlers' lots.	Do.
44	Mount St. George,		W. Boggett & another.

PARISH OF ST. DAVID.

No.	Name.	Original Grantee.	Present Possessor.
1	Courland, . . .	James Simpson.	Daniel G. Gordon.
2	Lower Quarter, .	Will. Brown.	Rob. Gordon.
3	Mary's Hill, . .	J. Macnae & F. Young.	Nelson Morrison.
4	} Orange Hill and Amity Hope, . .	G. & J. Kearton.	Hon. Edward Ellice.
5		Thos. Gibbon.	
6		John & Anthy. Gibbon.	
7		Jas. Hamilton.	
8	Whim, . . .	George Young.	Oniel & Simpson.
9	Montpelier, . .	Theo. Alexander.	Jas. Cunningham.
10	} Providence and Dunvegan, . .	Thos. Brown.	Craig Castella.
11		Andrew Allon.	S. B. Isaacs.
13	} Les Cateau, . .	Anthy. Richardson.	Jas. Hackett.
16		Porguil Macvicar.	
12	} Franklyns, . .	Anthy. Richardson.	Jas. Urquhart.
14		Porguil Macvicar.	
15	} Part of Highlands,	Same.	Hon. J. Kirk & Others
17		Alex. J. Alexander.	
18	Craig Hall, . .	John Burn.	Wm. Dervignes.
19	} Part of Nutmeg Grove (Alma),	Thos. & Jas. Lucas.	Thos. Blakeley.
20			
21	} Adventure, . .	Richard Ottley.	Rob. Gordon.
22			
23			
27			
24	} Arnoes Vale, . .	Thos. & Anthy. Gibbon.	Heirs of Kitson.
25			
26	Mount Grace, . .	Thos. Rainey.	Mrs. Douglas & Others
28	Cartara Down, .	Will. Hewitt.	Wm. Devignes.
29	} Mount Dillon, .	Walter Fenner.	Wm. Devignes.
30		Will. Lucas.	
31	} Runnemedede, . .	Geo. Glover.	Hon. Jas. Leith.
32		Martha Glover.	
36		Wm. Forbes.	
33		Wm. Forbes.	
34	} King Peter, . .	Chas. Mackay.	Do.
35		Jas. Hamilton.	
40	} Indian Walk, . .	Alex. Stewart.	M'Dougall & Witz.
41		Jas. Hamilton.	
37	Will. Bartlet.	
38	} Woodlands, . .	Walter & John Irvine.	Hon. Jas. Kirk.
39			
42	Culboden, . . .	George Forbes.	Ben. Alleyne.
43	} Golden Lane, . .	Richard Farr.	Heirs of Trick Tom.
44			
	Belle Island, . .		Theo. Macfarlane.

PARISH OF ST. PATRICK.

No.	Name.	Original Grantee.	Present Possessor.
2	Part of Courland,	Wm. Whitehead.	Daniel G. Gordon.
3	Orange Valley, .	Wm. Bartlet.	John Holder.
5		Drury Ottley.	
4		Campbell & Anderson.	
6	Grafton, . . .	Richard Ottley.	John and Jas. Leith.
7	Mount Irvine, .	Richd. & Jos. Steele.	Lord Douglas.
8 & 38	Grange, . . .	C. Irvine & J. Leith.	John and Jas. Leith.
9	Bon Accord, . .	Charles Simpson.	Heirs of Hunt.
10		Same.	
11		William Gardiner.	
12		Same.	
13	Clapham, . . .	Charles Simpson,	Hon. J. H. Keens.
14		Sam. Clapham.	
15	Cromstain, . .	Wm. Whitehead.	Same.
17	Shirvan, . . .	Hugh Smith.	Heirs of Hunt.
18		Same.	
32		James Hamilton.	
19	Mount Pleasant,	John Hamilton.	Hon. Jas. Leith.
20	...	Archibald Kennedy.	Unknown.
21	...	Allen Camoren.	Do.
22	...	Same.	Do.
23	...	Archibald Kennedy.	Do.
24	Friendship, . .	Mathews & Marwade.	Hon. J. H. Keens.
25		J. Brown & W. Carew.	
26		Same.	
27		Same.	
28	Kilgwyn, . . .	William Reven.	Hon. J. H. Keens.
29		Dunn & Williams.	
30		Richard Whitewood.	
31	Golden Grove, .	Same.	Hon. J. H. Keens.
40		Jos. Robley.	
33		Roger Smith.	
34	Buccoo, . . .	J. Leith & Ch. Irvine.	Lord Douglas.
35½			
39			
35½	New Grange, .	J. Leith & Ch. Irvine.	John and Jas. Leith.
36			
41	...	Symson & Robertson.	Unknown.
42	Black Rock, . .	J. Simpson & G. Franklyn.	Daniel G. Gordon.
43	...	Thompson Spottiswood.	Unknown.

PARISH OF ST. ANDREW.

No.	Name.	Original Grantee.	Present Possessor.
1	Calder Hall,	Robert Young.	Wm. Pinhero.
2	Rockley Vale,	Archibald Scott.	Sold in various lots to Settlers.
3			
4	Spring Garden,	J. Dumaresq and M. Croker.	Edward Ellice.
5			
6	Burleigh Castle,	J. Dumaresq.	Wm. Prescod.
7			
8	Lambean,		Harriet Stewart.
9	Appen. to Carnbee	Same.	P. Caruth & Others.
10	...	James Hamilton.	Various Settlers.
11	Signal Hill,	Rochelle, an Indian.	Do.
12	Auchen Skesche,	Robert Young.	O'Niel & Simpson.
13		Same.	
14		Same.	
15		Will. Young.	
16	Riseland,	Same.	James Bowhill and Wm. Allen, Purser.
17		Muther, Donaldson & Duncan.	
18		John Hamilton.	
27	Sherwood Park,	Will. Karst.	James Bowhill.
19	Hampden,	Geo. Glover.	John & James Leith.
20			
21	Lowlands,	Allen Camoren.	Deborough Piggot.
22	Carnbee,	John Melville.	W. E. Gain, for Leg. of Hendrie.
23			
25	Montpelier,	Russel & Alexander.	Jas. Cunningham.
26			
28	...	Robert Young.	Unknown.
29	Smithfield,		Hon. G. H. Richardson
30			

A TABLE, SHOWING THREE STATES IN CULTIVATION, AND THEIR OWNERS, IN 1832, COPIED FROM THE LIST APPENDED TO BYRES' MAP OF THAT DATE; WITH THOSE IN CULTIVATION IN 1862.

Number of Estates in cult. in 1832.	Names.	Owners.	Number of Estates in cult. in 1862.	Remarks.
1	Adelphi,	Heirs of Raddack.		Out of cultivation.
2	Amity Hope,	Devisees of Balfour.		Worked with Orange
3	Aventure,	Warner Ottley.	1	[Hill.]
4	Argyle,	Heirs of J. Campbell.		Worked with Invera
5	Arnoe's Vale,	Davison & Simpson.	2	
6	Auchen-Skeoche,	Heirs of Jas. Baillie.	3	
7	Bacolet,	J. & A. Gordon.	4	
8	Belle Garden,	Heirs of Sam. Hall.	5	
9	Belmont,	Heirs of Jas. Crooks.	6	
10	Betsey's Hope,	J. Robley & Co.	7	
11	Bon-Accord,	Rep. G. & J. Petrie.	8	
12	Buccoo,	Douglas & Irvine.	9	
13	Burleigh Castle,	Devisees of Balfour.	10	
14	Calder Hall,	Geo. Douglas.	11	
15	Carnbie,	W. Hendrie.	12	
16	Cartara,	Capt. Ferguson.	13	
17	Charlotte Ville,	Dev. of Gray.	14	
18	Concordia,	C. Wightman.	15	
19	Courland,	Rep. G. & J. Petrie.	16	
20	Cradley,	Hrs. Wilson & Cunningham.	17	
21	Craig Hall,	C. Wightman. [ham]	18	
22	Culloden,	Dev. of Alleyne.	19	
23	Dunvagen,	Heirs of Hall.	20	
24	Franklyn,	Chas. Gray.	21	
25	Friendship,	J. Glanville.	22	
26	Friendship,	Heirs of Robley.		Out of cultivation.
27	Glamorgan,	Same.	23	
28	Golden Grove,	Same.	24	
29	Golden Lane,	Wyllie & others.	25	
30	Goldsborough,	Dev. Robley.	26	
31	Grafton,	J. Gordon.	27	
32	Greenhill & Friend-	Wyllie & others.	28	
33	Grange, [ship,	J. Gordon.	29	
34	Hampden,	J. Gordon.		Out of cultivation.
35	Hermitage,	C. Devignes.	30	
36	Highlands,	C. Gray.	31	
37	Hope,	Heirs of Franklyn.	32	
38	Indian Walk,	J. Hamilton.	33	
39	Invera,	Heirs of Campbell.	34	
40	Kendal Place,	J. Bordieu.	35	
41	Kelwyn,	Chauncey Lang & Co.	36	
42	King's Bay,	Mrs. Napier.	37	
43	Lambeau.	Heirs of Stewart.	38	
44	Les Coteaux,	Wyllie & others.	39	
45	Lowlands,	Heirs of Piggot.	40	
46	Lower Quarter,	Miss Campbell.	41	
47	Lure,	J. L. Kensington.	42	
48	Mary's Hill,	Angus Campbell.	43	

A TABLE, SHOWING THE ESTATES IN CULTIVATION, &c.—(Continued.)

Number of Estates in cult. in 1832.	Names.	Owners.	Number of Estates in cult. in 1832.	Remarks.
49	Merchiston,	Mrs. Napier.		Abandoned.
50	Montpelier,	Hrs. Wilson & Cunning-	44	
51	Mount Dillon,	Dev. of Devignes. [ham	45	
52	Mount Grace,	Hrs. Peggy Campbell.		Out of cultivation.
53	Mount Irvine,	Douglas & another.	46	
54	Mount St. George	Mrs. Bransell.	47	
55	New Grange,	J. Gordon.	48	
56	Nutmeg Grove (Alma),	Chauncey Lang & Co.	49	
57	Orange Hill,	Dev. J. Balfour.	50	
58	Orange Valley,	T. Willock.		Now worked with
59	Pembroke,	Heirs of R. Mitchell.	51	[Prospect.
60	Prospect,	Edward Ellice.	52	
61	Providence,	Davison & Simpson.	53	
62	Richmond,	Heirs of Robley.	54	
63	Riseland,	J. Hamilton.	55	
64	Roxborough,	Sir M. Stewart.	56	
65	Runnemed,	Heirs of C. Irvine.	57	
66	Sherwood Park,	Dev. B. Alleyne.	58	
67	Spey Side,	J. & A. Gordon.	59	
68	Shirvan,	Sir M. Bruce.	60	
69	Spring Garden,	Dev. of Balfour.		Now worked with
70	Studley Park,	Heirs of Robley.	61	[Burleigh Castle.
71	Telescope,	Sir M. Bruce.	62	Not in Byres' list.
				Now worked with
				Charlotteville.
72	Trois Rivières,	J. & A. Gordon.		Now worked with
73	Unity,	Simon.	63	[Spey Side.
74	Whim	J. & J. Hamilton.	64	
75	Woodlands,	Douglas & Irvine.	65	

BETTY CREIGHTON'S WILL

In the name of the Lord our God, amen,
I, Betty Creighton, now in pain,
And fearing my days are nearly spent,
Make this last will and testament—
Though weak in body, yet sound in mind
As e'er a Solomon left behind.
First, I desire this earthly crust
May decently be laid in dust,
And let some stone point out the spot
Where Betty Creighton lies to rot;
And to defray the cost thus told,
My negress, Fanny, must be sold.
Next, to Betty Hunter, my friend so true,

I leave the remaining residue;
Also my household furniture—
Though I must confess the gift is poor;
For she must take on her the trouble
To see me laid beneath the stubble.
Next, to old Mary Ann Demoon,
(Although she'll follow very soon),
I leave my house and lot of land,
And stock, the whole at her command.
Old James Demoon and his son James, joint
Executors I do appoint.
Of my last will this is the whole,
So God above receive my soul.

May 20, 1815.

(Signed),

her
BETTY + CREIGHTON.
mark.

ERRATA.

- Page 51, Line 24, for "Buille," read Bouille.
„ 67, Foot note, for "Bcy," read Bry.
„ 76, Line 20, for "Philipre," read Phillips.
„ 95, Line 11, for "Melayeis," read Metayers.
„ 108, Line 4, for "First," read Fort,
„ 117, Line 12, for "1864," read 1854.
„ 151, Line 23, for "Litigious," read Litigious.
„ 185, Line 28, for "Cartara," read Castara.
„ 190, Line 8, for "It," read Is.
„ 191, Line 24, for "Pieary," read Picary.
„ „ Line 27, for "Manicon," read Manicou.
„ 192, Line 6, for "Continentrl," read Continental.

It may be noted that the word "Number," at the head of the several pages containing the third table at the end of the book, means the number of the lots in each parish as originally granted.

A TABLE, SHOWING THE ESTATES IN CULTIVATION, &c.—(Continued.)

Number of Estates in cult. in 1832.	Names.	Owners.	Number of Estates in cult. in 1832.	Remarks.
49	Merchiston,	Mrs. Napier.		Abandoned.
50	Montpelier,	Hrs. Wilson & Cunning-	44	
51	Mount Dillon,	Dev. of Devignes. [ham	45	
52	Mount Grace,	Hrs. Peggy Campbell		Out of cultivation

Next, to Betty Hunter, my friend so true, | Of my last will this is the whole,
So God above receive my soul.

May 20, 1815.

(Signed),

^{her}
BETTY + CREIGHTON.
mark.

57



